

**Public Safety Retirement Advisory Commission
Final Report**

The Public
Safety
Retirement
Advisory
Commission

October 30, 1998

Mr. Joe Mickes, Chairman
Ad Hoc Task Force on Total Compensation
c/o Department of Highway and Transportation
State Highway Building
P.O. Box 270
Jefferson City, MO 65102

Dear Joe:

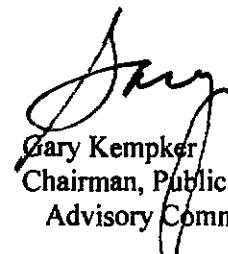
On behalf of the Public Safety Retirement Advisory Commission (PSRAC), I am pleased to present our findings and recommendations to the Ad Hoc Task Force on Total Compensation (TFTC).

The PSRAC recognized, from the outset, the importance of the charge given to them in the Governor's Executive Order, and was mindful of seeking out fiscally responsible solutions that would ensure a fair and equitable benefit plan for those professionals who are charged with the responsibility of providing public safety services to the citizens of Missouri.

While the PSRAC is pleased that it was able to furnish its report prior to the expiration of its term, it is doubtful that the TFTC will have sufficient time to complete a separate addendum to the Governor outlining its recommended course of action. In light of the short turnaround imposed on the TFTC, I have taken the liberty of contacting the Office of Administration to request a thirty-day extension to allow time for the TFTC to complete the addendum.

We appreciate your confidence and support of the PSRAC throughout this process. It is our sincere hope that these recommendations, as well as the other information contained in this report, will be useful to the TFTC, the Governor and the General Assembly, in our collective efforts to address a very pressing public safety benefit issue facing administration officials.

Sincerely,


Gary Kempker
Chairman, Public Safety Retirement
Advisory Commission

Enclosure

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Public Safety Retirement Advisory Commission (PSRAC)
Executive Summary

Background

Earlier this year, the Governor issued an executive order establishing the PSRAC. The role of the Commission was to determine which, if any, classifications of state employees should be given a "public safety" designation and consequently participate in a retirement arrangement which is different from the plan for general employees. This project was prompted by the fact that uniformed employees of the highway patrol and water patrol currently are eligible for retirement benefits which are one-third greater than benefits for non-uniformed employees. This has resulted in other classifications of employees attempting to make the case that they should also be considered for a higher level of benefit.

After months of meeting and considering the issues related to classifying "public safety" employees and debating the merits of providing some type of additional supplemental retirement benefit to employees so classified, the PSRAC reached the following conclusions:

1. Establishing a definition of "public safety" to include various classifications of employees is, at best, problematic.
2. The initial rationale for the present higher retirement benefit levels for uniformed employees of the highway and water patrol does not, under current circumstances, make a persuasive case for the existing benefit design.
3. It is possible to structure a retirement plan that can address the issues related to "public safety" concerns and, at the same time, address broader personnel management objectives which have been established by the Governor's Task Force on Total Compensation (TFTC).

The plan as proposed by the PSRAC would i) apply to all employees hired after the effective date of the plan regardless of classification; and ii) allow employees who are covered by the present plan to elect coverage under the new plan. The key differences between the current and proposed plans are illustrated in the tables which follow:

**Proposed Model
Compared To
Present Plan Provisions**

Benefit	General Employee Plan	Proposed Model
Normal Retirement Eligibility	Age 60 & 15 Yrs. Service Age 65 & 4 Yrs. Service Rule of 80	Age 62 & 5 Yrs. Service Rule of 80 (Age 60 for Highway Patrol)
Early Retirement Eligibility	Age 55 & 10 Yrs. Service	Age 57 & 5 Yrs. Service
Benefit Formula Life Benefit Temporary Benefit to Age 62	1.6% of FAS x Service NA	1.7% of FAS x Service .8% of FAS x Service
Death in Service	Joint & 100% Survivor Benefit	Joint & 100% Option (50% of Pay Minimum for Duty Related Death)
Death After Retirement	Automatic Joint & 50% Survivor Benefit	Reduced Benefit Options

<i>Benefit</i>	<i>General Employee Plan</i>	<i>Proposed Model</i>
Disability	Long-Term Disability Plan (LTD)	Present LTD Plan FAS Indexed While in Receipt of LTD
COLA*	80% of CPI with Maximum of 5%, 4% Minimum Until Reaching 65% Cap	80% of CPI with Maximum of 5%
In Service COLAs	4% Per Year for Service Beyond Age 65	NA
Mandatory Retirement	NA	Mandatory Age 60 for Highway Patrol Only
Portability	None	Local Vested Service Credit Granted After 10 Years of State Service

*Members hired after 8/28/97 received COLAs based on 80% of CPI with a Maximum of 5%.

Other Benefit Recommendations

- Life Insurance**. The PSRAC recommends changing the present life insurance benefit to one times annual salary, up to a maximum of \$50,000, and providing triple indemnity for duty related death for all employees. This benefit enhancement would provide (i) an automatic inflationary adjustment to coverage levels thus requiring no future legislative changes; (ii) uniformity in coverage among state employees; and (iii) an additional life benefit to the survivors of employees who are killed in the line of duty.
- Hazardous Duty Pay**. Inasmuch as the state has not adopted clear guidelines relating to hazardous pay, the PSRAC recommends that this issue be addressed by the TFTC as part of their policy on pay.
- Availability of Proposed Retirement Model to Retirees**. The PSRAC has been advised that COMAP previously has taken a position against providing retroactive retirement increases to retirees and that the TFTC continues to be supportive of that position. In light of this fact, the PSRAC has elected to defer this decision to the TFTC for its consideration.

Cost Summary

The costs to implement recommendations relating to the proposed retirement model and the insurance program, which are administered by the Missouri State Employees' Retirement System (MOSERS) and the Highway and Transportation Employees' and Highway Patrol Retirement System (HTEHPRS) are summarized in the tables which follow:

Proposed Retirement Model

<i>System</i>	<i>Cost</i>
MOSERS	\$6,000,000
HTEHPRS	2,060,000
Total	\$8,060,000

Proposed Changes to the Insurance Program

<i>System</i>	<i>Cost</i>
MOSERS	\$2,000,000
HTEHPRS	400,000
Total	\$2,400,000

PUBLIC SAFETY RETIREMENT ADVISORY COMMISSION FINAL REPORT

The Public Safety Retirement Advisory Commission

The Public Safety Retirement Advisory Commission (PSRAC) was created under Executive Order 97-15 and is comprised of appointed members from the Highway and Transportation Employees' and Highway Patrol Retirement System (HTEHPRS), the Missouri State Employees' Retirement System (MOERS), the Ad Hoc Task Force on Total Compensation (TFTC), the Missouri State Senate, the Missouri House of Representatives, and the directors of the Department of Public Safety, Department of Natural Resources, Department of Conservation, Department of Corrections, the Coordinating Board for Higher Education, the Office of the State Court Administrator and the Commissioner of Administration.

The PSRAC was charged with the task of providing a recommendation to the TFTC on the structure of and benefits to be provided by a retirement program for public safety employees. This task, as described under the Executive Order, also included ascertaining a definition of "public safety employees" eligible for participation in a public safety plan.

The PSRAC commenced operations on November 1, 1997 and, prior to its termination on October 30, 1998, is required to furnish a final report to the TFTC which provides clear policy recommendations relating to their charge. As further set forth in the Executive Order, the TFTC is obligated to submit to the Governor a separate addendum to the final report which contains the TFTC's recommended course of action.

General Retirement Arrangements for Public Safety Employees

It is common practice to use retirement plans as mechanisms for achieving certain broad personnel policy objectives. With respect to public safety employees, one policy objective which is frequently pursued is increasing the public's comfort level regarding personal safety by having line employees who are relatively young when compared with the workforce at large. The key retirement plan related questions which must be answered involve determining the proper role of retirement arrangements in pursuing this objective and then developing retirement plan structures which are consistent with that role.

The structure of the U.S. military retirement system has served as the basis for much of the retirement plan design in the public safety area at the state and local level. Upon examination, we find that the U.S. military, as an organization, has:

- very few management positions when compared with line positions and thus limited opportunities for employees to move out of line positions;
- a strong need for a relatively young line force; and, therefore,
- a need for personnel arrangements which facilitate moving relatively young employees out of the workforce.

The retirement solution adopted for the U.S. military provides for 20 and out retirement at one-half of base pay and 30 and out retirement at two-thirds of base pay.

At the state and local level, we find a paramilitary structure in most public safety organizations with personnel objectives comparable to those of the U.S. military. Consequently, it is not surprising to see retirement plans designed for state and local organizations which, to some extent, have been developed to pursue personnel objectives parallel to those of the U.S. military. Also, with some frequency, it is argued

that the personnel objectives for public safety positions stem from the hazardous nature of the work and the related stress. During the course of its study, the PSRAC examined whether or not these arguments have merit and further evaluated the state's current policy relating to hazardous duty.

Evolution of Public Safety Benefits in Missouri

At the state level in Missouri, the public safety issue has, in a limited way, been addressed by providing a special retirement arrangement for sworn uniformed officers of the highway patrol (benefits which are administered by HTEHPRS), and water patrol (benefits which are administered by MOSERS). This retirement arrangement provides a benefit supplement to allow for retirement prior to reaching the eligibility age for social security and continues for life. This benefit provision was originally designed as a means to compensate highway patrol employees for the shorter duration of their careers caused as a direct result of a mandatory retirement age (although water patrol employees have never been subject to this requirement). It is worth noting that in a number of local governments in Missouri, plans for public safety employees provide a retirement supplement until the retired members reach either age 62 or age 65 – eligibility ages for social security. Whether or not it is necessary to continue providing the supplement beyond the eligibility age for social security is a benefit design issue which received careful consideration by the PSRAC and is further addressed in a subsequent section of this report.

Retirement arrangements at the state level in Missouri have evolved in a rather fragmented fashion with the end result being that a number of positions which arguably relate to public safety receive no special retirement treatment. The challenge for the PSRAC in addressing this particular issue was to determine, in tandem, whether or not it is possible to develop specific criteria regarding what constitutes a "public safety employee", along with whether or not it is in the state's best interest to continue with and/or to expand the existing benefit structure to include other positions in addition to uniformed employees of the highway patrol and water patrol.

Current Benefit Structure for Public Safety Employees

A plan comparison illustrating the differences in retirement benefits for uniformed employees of the highway patrol and water patrol, as well as for general employees, appears on the following page. As depicted in the comparison, the primary differences in benefits are reflected in the multiplier (both the highway and water patrol receive the additional one-third or 33.3%), and in the eligibility ages for normal retirement (age 55 with 5 years of service for the highway and water patrol as compared to age 65 with 5 years of service for general employees). It should be noted that the highway patrol receives a supplemental benefit of \$90 per month until age 65, unless otherwise gainfully employed. (This \$90 supplement provision was modified by the General Assembly in 1994 and is not applicable to members hired after January 1, 1995.)

Benefit Comparison

Benefit	MoDOT Employees	Highway Patrol	Water Patrol	MOSERS' General Employees
Multiplier	1.6%	2.13% which also includes a supplemental benefit of \$90 per month until age 65 unless otherwise gainfully employed (not applicable for members hired after January 1, 1995).	2.13%	1.6%
Death in Service	After 3 years of service, spouse receives 25% of the accrued life benefit increased 5/12 of 1% for each month of service in excess of 5 years to a maximum of 50% of the member's base benefit. Benefit is payable to the spouse named as beneficiary and to whom the member has been married for at least two years at the time of death.	Joint & 100% survivor amount based on accrued life benefit. HTEHPRS requires 10 years of service. Benefit is payable to the spouse to whom the member has been married for at least two years at the time of death.	Joint & 100% survivor amount based on accrued life benefit. MOSERS requires 5 years of service. Benefit is payable to the spouse to whom the member has been married for at least two years at the time of death.	Joint & 100% survivor amount based on accrued life benefit. MOSERS requires 5 years of service. Benefit is payable to the spouse to whom the member has been married for at least two years at the time of death.
Death After Retirement	Automatic 50% survivor benefit for married members at no cost to members.	Automatic 50% survivor benefit for married members at no cost to members.	Automatic 50% survivor benefit for married members at no cost to members.	Automatic 50% survivor benefit for married members at no cost to members.
Final Average Salary	High 36 consecutive months	High 36 consecutive months	High 36 consecutive months	High 36 consecutive months
COLA	80% of CPI with maximum of 5% (4% minimum until 65% cumulative cap is reached). HTEHPRS pay on Oct. 1st of each year.	80% of CPI with maximum of 5% (4% minimum until 65% cumulative cap is reached). HTEHPRS pay on Oct. 1st of each year.	80% of CPI with maximum of 5% (4% minimum until 65% cumulative cap is reached). MOSERS pays on retirement anniversary date.	80% of CPI with maximum of 5% (4% minimum until 65% cumulative cap is reached). MOSERS pays on retirement anniversary date.
In Service COLA	None	None	4% per year for service beyond age 65	4% per year for service beyond age 65
Normal Retirement Eligibility	Age 65/active 4 yrs. service; Age 65/5 yrs. service; Age 60/15 yrs. service; Rule of 80/min. age 50	Age 55/active/4 yrs. service; Age 55/5 yrs. service Rule of 80/min. age 50	Age 55/active/4 yrs. service; Age 55/5 yrs. service Rule of 80/min. age 50	Age 65/active 4 yrs. service; Age 65/5 yrs. service; Age 60/15 yrs. service; Rule of 80/min. age 50
Mandatory Retirement	None	Age 60	None	None

Note: Benefit differences are highlighted for the reader's ease in noting variations.

Philosophical Issues Facing the PSRAC

In evaluating the appropriate benefit program for public safety employees and determining the positions that would be eligible to participate in such a program, a number of philosophical issues were discussed and debated at great length by the PSRAC. The structure which guided the process, while allowing for a thorough examination of the issues, focused on the protection of the public at large.

The PSRAC reviewed a wide array of information which included other plan definitions of employees in the field of public safety, survey information relative to public safety plans administered by other public funds, the benefit provisions of the public safety plans administered by both HTEHPRS and MOSERS, the state's current personnel management objectives, and demographic information relating to the present population of both active and retired members. The narrative which follows is presented in a question and answer format and describes in detail the key philosophical issues facing the PSRAC.

Q. Are there positions where the safety of the public is enhanced by having benefit provisions in place which allow public safety employees to retire at an earlier age than otherwise would be the case?

A. The public safety benefit policy enacted in previous years by the General Assembly suggests that the public interest is best served by having benefit provisions in place which allow earlier eligibility ages for normal retirement (age 55 with 5 years for highway patrol and water patrol) and mandatory retirement at age 60 (highway patrol only).

The rationale for the additional one-third benefit differential initially enacted for uniformed members of the highway patrol was based, in part, on the earlier eligibility provisions described above. At the time these provisions were enacted, the normal retirement age for uniformed patrol members was 55 and age 65 for non-uniformed members (consisting of Missouri Department of Transportation employees and civilian Missouri State Highway Patrol employees). Uniformed members could receive one year extensions until age 65 and non-uniformed members until age 70. At ages 65 and 70, respectively, retirement became mandatory. The rationale behind the one-third differential was based on the assumption that individuals would generally begin their work career at age 25. Further assuming that members would retire upon reaching their normal retirement age, uniformed members would have 30 years of service while non-uniformed members would have 40 years of service (one-third more than the uniformed employees). To "make up" for the expected shorter working career, uniformed employee benefits were increased by one-third. Even though the original retirement legislation specified a normal retirement age of 55 for patrolmen, the individual could still be employed until age 65 with the approval of the patrol. In 1982, however, the General Assembly amended that provision by removing "employment until age 65" and changing the mandatory retirement from age 65 to age 60.

Q. What criteria should be utilized in assessing whether or not a position is considered to be public safety?

A. Possible criteria for individuals in the field of public safety could include:

- Sworn officers with arrest authority.
- Certification and Peace Officers Standards Training (POST) requirements.
- Mandatory retirement age.
- Required to be proactive in protecting the public.
- Physical fitness requirements.

Q. What state positions could qualify for inclusion in a public safety classification?

A. Potential candidates for the public safety might include:

- Capitol Police
- Conservation Officers
- Corrections Officers
- Gaming Commission Enforcement Personnel
- Highway Patrol
- State Fire Marshall (line employees)
- Juvenile Court (line employees)
- Probation and Parole (line employees)
- Liquor Control Officers
- Park Rangers
- Select employees of the Adjutant General
- Water Patrol
- Campus Police/Security
- Criminal Investigators
- Bailiffs

Q. Do any budget constraints exist which would prohibit extending membership to other state positions which could conceivably qualify for inclusion in a public safety plan?

A. Yes. The reality is that budget constraints do exist and the cost to fund benefit increases for all of the groups previously mentioned would be open-ended. This is because it is likely that other employee groups working in public service positions would lobby in the future for inclusion in a public safety plan, i.e., health care workers who may be exposed to the acquired-immune deficiency syndrome (AIDS) or an employee of the Department of Natural Resources engaged in clean-up of toxic waste, etc. The lobbying efforts of various employee groups became evident as the PSRAC reviewed the legislative history on public safety benefits. Since the initial one-third benefit differential was enacted by the General Assembly in 1955, 21 legislative bills have been filed affecting seven employee groups – those groups being radio personnel, water patrol, vehicle inspectors, driver license examiners, weight division employees, conservation agents and park rangers. In addition, separate from legislation, a 1996 Joint Interim Committee on Probation and Parole included a recommendation in its final report for additional retirement benefits for probation and parole officers.

Q. Should a mandatory retirement age be implemented for public safety positions?

A. The Age Discrimination in Employment Amendment enacted in 1996 allows state and local governments to set mandatory retirement ages for public safety officers (including police and firefighters). Retirement statistics for both the highway and water patrol suggest that public safety employees are taking advantage of the earlier eligibility ages for normal retirement, coupled with the additional one-third benefit differential, and retiring well in advance of age of 60, thus making the direct impact of the mandatory retirement age appear to be somewhat non-essential. The highway patrol, however, has testified that the mandatory retirement age has played an important legal role in ensuring that patrol officers retire by age 60, and the organization continues to be supportive of that position. In addition, both the highway and water patrol provide programs which require uniformed patrol employees to maintain certain physical fitness standards. The PSRAC concluded that the mandatory retirement age for uniformed members of the highway patrol should be continued.

Q. What plan design features should be implemented to facilitate retirement prior to eligibility for social security? (For example, should a benefit differential be payable until the member is eligible to receive social security or should a benefit differential be payable for life based on the assumption that the member was unable to accrue as much service as a general employee?)

A. Most local governments in Missouri which provide plans for public safety employees offer a retirement supplement only until the retired members reach age 62 or age 65 – eligibility ages for social security. The original design for the highway patrol, however, was based on the assumption that members were unable to accrue as much service as a general employee because of the mandatory retirement requirement.

In evaluating this issue, the PSRAC examined the purpose of giving a higher retirement benefit to a select group of state employees and determined that it was no longer valid to compensate employees for the expected shorter duration of their careers caused by mandatory retirement. This determination was based, in part, on statistics which illustrate that highway patrol employees retire with 10 years more service, on average, than other state employees. The highway patrol and Missouri Department of Transportation (MoDOT) employees retire on average with 30 years of service; water patrol employees retire with an average of 28 years of service; and general state employees retire with an average of 20 years of service. Moreover, it was concluded that any supplemental benefit (presently the one-third differential) should be a temporary benefit designed to allow an employee to retire comfortably before eligibility for social security. The PSRAC found that, from an employer perspective, it makes little sense for the state to continue funding benefits under a plan design which no longer serves its original purpose.

Q. Should hazardous duty be reflected in a salary or retirement benefit differential? What constitutes "hazardous" duty? (Is it defined by carrying a weapon, or by the rate at which duty related deaths occur in a given position, or by handling forensic clients, or by the number of workers' compensation incidents which occur in a particular position?)

A. In reviewing the criteria for hazardous duty and stress-related positions, it was discovered that the state has not adopted a clear policy in this regard. Positions vary by having different degrees of hazardous or stress-related duties, even within a job classification. As an example, Department of Mental Health security aides receive hazardous pay if they work in a high security forensic unit such as Biggs, however, may not be eligible while working in another unit at the same facility. Based upon the information presented to the PSRAC, the Department of Conservation is the only state agency which provides any additional compensation to law enforcement employees for hazardous assignments. The Department of Conservation may, at any given time, have one or two conservation agents working in undercover assignments. These are normally two year assignments and during this time the agents receive a 10% increase in their salary. After the assignment is completed, they continue to receive a 5% increase for the balance of their career.

Statistically, more duty related deaths occur in MoDOT than in any other agency. MoDOT has reported 113 duty related deaths since 1946 (records prior to that date were not available). The highway patrol has reported 18 deaths since 1933. As noted in the benefit comparison which appeared earlier in this report, death in service benefits for state employees (highway and water patrol and general employees) are calculated under the Joint & 100% survivor option, excluding MoDOT employees whose survivors receive 25% of the member's accrued life benefit increased 5/12 of 1% for each month of service in excess of 5 years to a maximum of 50% of the member's base benefit. These survivor benefits, however, are only available to survivors of employees who meet the vesting requirement (which for the highway patrol is 10 years; for MoDOT is 3 years; for MOSERS is 5 years), and who have been married for at least two years at the time of death. The PSRAC reviewed the present death in service benefits offered by HTEHPRS, MoDOT and MOSERS and determined that the existing benefit structures are flawed in that both a service and marriage requirement must be met in order for duty related death benefits to be payable to a surviving spouse.

As it relates to workers compensation claims and long-term disability benefits, the Department of Corrections, Department of Mental Health and the Department of Social Services rank the highest in job related injuries and disabilities of all agencies in the Executive Branch.

Inasmuch as the state has not adopted clear guidelines relating to hazardous pay, the PSRAC recommends that this issue be addressed by the TFTC as part of their policy on pay.

Q. Is the state disadvantaged when competing with local entities for qualified public safety personnel? Would the state be less competitive if it elected to eliminate the additional one-third benefit differential?

A. As it relates to the recruitment of uniformed police officers, it is difficult to tell whether or not the one-third benefit differential allows the state to be more competitive when recruiting from local city and county governments, since many city and county public safety employees do not participate in the social security system and, as a result, have local government retirement benefits which are higher than would be the case if they were in social security. (It should be noted that mandatory social security participation for new hires is presently being considered at the federal level). All other things being equal, a benefit plan which provides early retirement incentives should allow the state to maintain a competitive edge when recruiting highly qualified personnel. Generally speaking, however, the state overall appears to be somewhat disadvantaged when recruiting experienced government employees since no portability provisions exist which allow for the transfer of service from local and county governments to the state at no cost to the employee. (It should be noted that provisions presently exist which allow HTEHPRS and MOSERS to transfer service to each other at no cost to the employee.)

State Personnel Management Objectives

The TFTC has adopted a benefits policy statement targeted at allowing the state, "To recruit, retain and pay employees who provide the highest quality services to the citizens of the state, the state employee benefits structure, combined with appropriate pay, should provide financial security to employees in an equitable and cost effective manner." This policy statement further specifies goals which encourage the State of Missouri to:

- Create a comprehensive benefits package that is *externally competitive* with the marketplace, and that is *internally equitable (emphasis added)*.
- Implement a flexible benefits package that provides employees with options for meeting their individual and family needs, and yet assures that *basic levels of health care and retirement coverage will be maintained (emphasis added)*.
- Ensure equitable employer contributions for health care coverage for state employees, retirees, spouses and other dependents that assures high quality care in a cost effective manner.
- Allow *career* state employees to maintain a *reasonable standard of living at retirement* through a combination of *equitable defined benefit*, social security and individual tax-favored savings plans *(emphasis added)*.
- Eliminate ineffective duplication of benefit plans.

The PSRAC has reviewed the state's current benefit policy and determined that the existing benefit program for public safety employees does not appear to be aligned with all of the state's present personnel management objectives. Specifically, the plan does not promote equity in benefits among public safety personnel since the plan membership is currently only extended to highway patrol and water patrol employees. As noted previously, there are a wide array of positions in state government which could arguably be considered for membership in such a plan, however, present cost constraints and the immediate potential for plan expansion caused by the continual lobbying efforts by other factions of employees eliminates plan expansion as a viable alternative. Consequently, the PSRAC was faced with the decision of whether or not it is in the state's best interest to continue pursuing the notion of having a separate "public safety" plan.

Proposed Model

In examining this issue, the PSRAC first determined that the ideal design of a retirement plan which incorporated the policy goals of the TFTC would:

- Reduce turnover among younger employees (the goal for a career employee is 30 years of service).
- Allow/encourage retirement before social security eligibility to:
 - Provide opportunities for promotion.
 - Reduce payroll costs.
 - Refresh the workforce.
 - Address "hazardous" position needs.
- Provide for all dependents in the event of a duty related death.
- Facilitate local to state employment mobility for recruitment purposes.

In evaluating these specific goals against the current plan provisions for both patrol and general employees, the PSRAC compared the benefit structure of the general employee plan against a proposed model which would correct certain deficiencies in both the general plan and uniformed employee plan. The following schedule depicts present and proposed benefits:

**Proposed Model
Compared To
Present Plan Provisions**

<i>Benefit</i>	<i>General Employee Plan</i>	<i>Proposed Model</i>
Normal Retirement Eligibility	Age 60 & 15 Yrs. Service Age 65 & 4 Yrs. Service Rule of 80	Age 62 & 5 Yrs. Service Rule of 80 (Age 60 for Highway Patrol)
Early Retirement Eligibility	Age 55 & 10 Yrs. Service	Age 57 & 5 Yrs. Service
Benefit Formula Life Benefit Temporary Benefit to Age 62	1.6% of FAS x Service NA	1.7% of FAS x Service .8% of FAS x Service
Death in Service	Joint & 100% Survivor Benefit	Joint & 100% Option (50% of Pay Minimum for Duty Related Death)
Death After Retirement	Automatic Joint & 50% Survivor Benefit	Reduced Benefit Options
Disability	Long-Term Disability Plan (LTD)	Present LTD Plan FAS Indexed While in Receipt of LTD
COLA*	80% of CPI with Maximum of 5%, 4% Minimum Until Reaching 65% Cap	80% of CPI with Maximum of 5%
In Service COLAs	4% Per Year for Service Beyond Age 65	NA
Mandatory Retirement	NA	Mandatory Age 60 for Highway Patrol Only
Portability	None	Local Vested Service Credit Granted After 10 Years of State Service

*Members hired after 8/28/97 received COLAs based on 80% of CPI with a Maximum of 5%.

The following narrative, presented in a question and answer format, describes the rationale supporting changes in the current benefit structure.

Q. Why change the present normal retirement age?

A. An increase of two years for relatively short service employees provides eligibility at the same age as the earliest age of eligibility for social security.

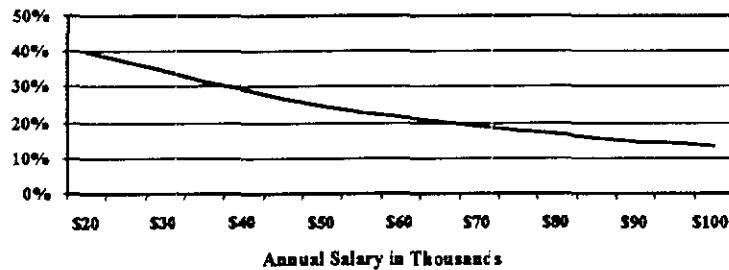
Q. Why increase the benefit formula from 1.6% to 1.7%, and provide a temporary benefit of .80%?

A. To allow all long service employees (rule of 80 eligible) to retire with a temporary supplemental benefit until social security eligibility and to also encourage younger employees to continue in state service. The change in benefit formula will also provide a 75% income replacement ratio (the targeted goal described in the COMAP report) for employees who retire with 30 years of service.

The replacement ratio is the portion of an employee's pay which is replaced by an employer's retirement benefit plan. In the case of Missouri state employees, the employer sponsored retirement benefit consists primarily of MOSERS and Social Security, or HTEHPRS and Social Security. In terms of wage replacement, the Social Security formula is weighted in favor of lower income individuals.

The primary insurance amount (PIA) payable by Social Security is depicted in the following graph. As illustrated, the higher the salary the lower the replacement ratio provided by Social Security.

Age 62 Social Security PIA as % of Salary for a Range of Final Salary Levels at Retirement



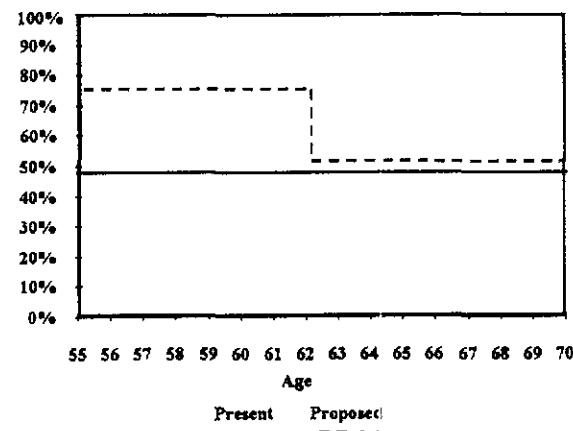
The comparisons which follow illustrate the impact in benefit levels, under the proposed model, for both general employees and public safety employees. As noted previously, the temporary benefit is payable only under rule of 80 eligibility and is paid from retirement until the earlier of death or age 62.

**Benefit Comparison for a 30 Year
General Employee with a \$45,000 Final Average Salary (FAS)**

<i>Annuity</i>	<i>Present</i>	<i>Proposed</i>
Life Benefit	\$21,600	\$22,950
Temporary Benefit	NA	\$10,800
Total Until Age 62*		\$33,750

*Temporary benefit is payable only under rule of 80 eligibility and is paid from retirement until the earlier of death or age 62.

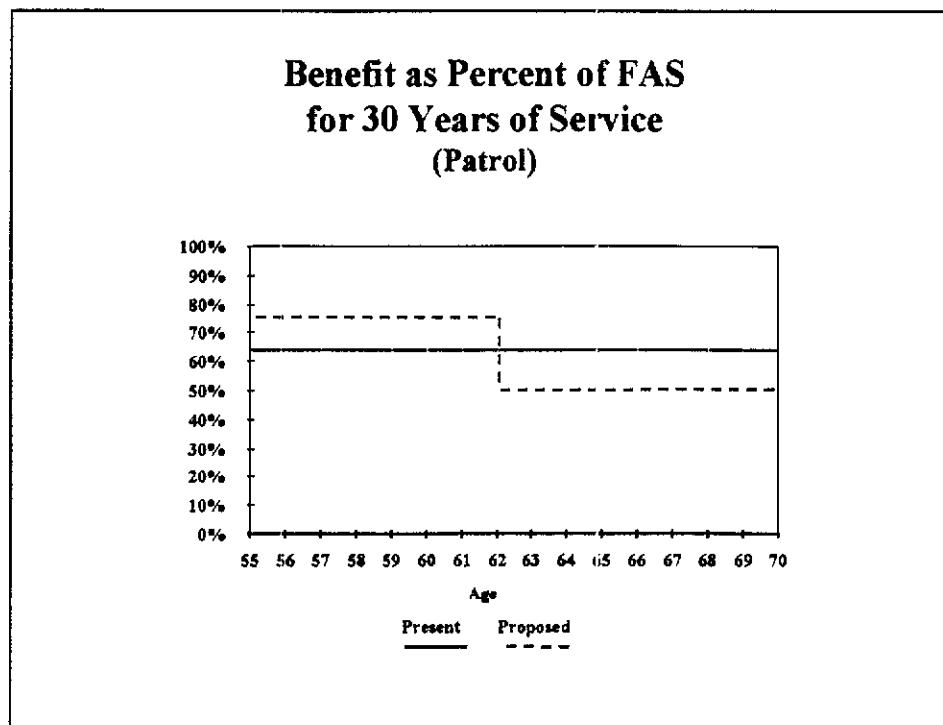
**Benefit as Percent of FAS
for 30 Years of Service
(General Employee)**



**Benefit Comparison for a 30 Year
Patrol Employee with a \$45,000 Final Average Salary (FAS)**

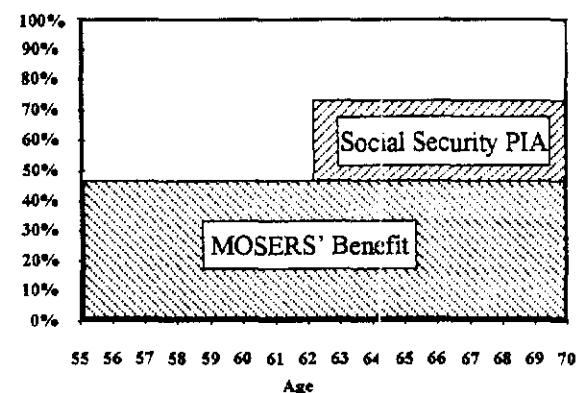
<i>Annuity</i>	<i>Present</i>	<i>Proposed</i>
Life Benefit	\$28,800	\$22,950
Temporary Benefit	NA	\$10,800
Total Until Age 62*		\$33,750

*Temporary benefit is payable only under rule of 80 eligibility and is paid from retirement until the earlier of death or age 62.

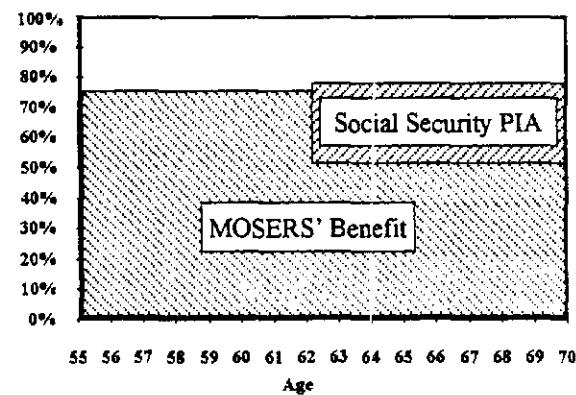


The graphs below illustrate the impact of the Social Security PIA on both the current benefit plan and proposed model.

**Present Total Benefit as Percent of
\$45,000 FAS for General Employee
With 30 Years of Service**



**Proposed Total Benefit as Percent of
\$45,000 FAS for Employee
With 30 Years of Service**



Q. Why change the present death in service benefit from the Joint & 100% survivor option which is payable to the spouse to whom the member has been married for at least two years at the time of death, to a Joint & 100% survivor option with no length of marriage requirement and, in duty related cases, a 50% of final average salary minimum benefit with no minimum service requirement?

A. To address the issues of additional employer responsibility in the event of duty related death by providing a reasonable minimum benefit, and eliminating the length of marriage and minimum service requirements. This determination was based on the rationale that an employee's survivors should not be penalized in the event of a duty related death simply because the employee was not vested or married to a spouse for a two year period. (A length of service marriage requirement to establish eligibility is typically associated with post retirement death benefits in an effort to discourage death bed marriages.)

Q. Why change the present death after retirement benefit from an automatic Joint & 50% survivor option to reduced options?

A. By removing the automatic survivor benefit, the value of benefits payable is determined without regard to marital status. The following reduced options could be elected on the life portion of the member's benefit (the portion attributable to the 1.7% benefit formula):

- Joint & 50% Survivor Option
- Joint & 100% Survivor Option
- 120 Month Certain and Life
- 180 Month Certain and Life

Under the proposed model, the normal form of payment for married members would be the Joint & 50% survivor option. Married members would, with spousal consent, be allowed to elect any of the other forms of payment available. Single members would be able to name a beneficiary, as they have in the past, under either the 120 or 180 Month Certain and Life options. (It should be noted that the current plan only offers 60 Month and 120 Month Certain and Life options – the 60 month option would be changed to a 180 month option to allow single members expanded beneficiary options.)

The elimination of the automatic Joint & 50% survivor benefit is a cost reduction to offset some of the additional costs associated with the increased multiplier and temporary benefit, and other plan provisions contained in the proposed model. See appendix X for further discussion of the rationale for eliminating the "free 50".

Q. Why modify the existing long-term disability (LTD) plan by indexing the final average salary while in receipt of LTD?

A. There would be no change in the present LTD plan except for the way in which the normal retirement benefit is computed. Under the current plan, the final average salary is frozen at the date of disability which results in a substantially lower benefit payable at retirement. Under the proposed model, when a member becomes eligible for normal retirement, the benefit would be based on the final average salary indexed by the CPI between the disability date and the date normal retirement benefits commence.

Q. Why eliminate in service cost-of-living adjustments (COLAs)?

A. Providing in service COLAs results in an additional incentive for employees to work beyond age 65 and runs counter to the state's personnel management objectives stated previously. The proposed post retirement COLA would be the same plan as that which is in place for employees hired after August 28, 1997 and for retirees who reach the 65% cumulative cap, and would be payable on the anniversary date of retirement.

which is the present MOSERS' practice. Although HTEHPRS currently pays COLAs on October 1st of year, their custom typically results in an unusually large number of retirements in the month of September.

Q. Why provide a portability benefit to state employees which recognizes vested service that is earned with another employer?

A. The primary rationale behind recognizing service that is earned with another employer is based on the premise that the state benefits by providing a mechanism which allows the recruitment of talented, experienced employees from the public sector. It can be argued further that the taxpayer is also ultimately advantaged in such an arrangement, since this type of an incentive may cause experienced employees to remain in public service as opposed to moving to the private sector. As noted in the proposed model, an employee must work at least ten years with the state before vested local government service is recognized. (In connection with this proposal, provisions would be made for transfers of funds from other systems to MOSERS or HTEHPRS, with the added proviso that other systems would have to be held harmless financially as the result of such transfers.)

Q. How much will it cost to fund the proposed retirement model?

A. MOSERS' actuary has estimated that the cost of the proposed model would be approximately \$6 million per annum based upon the assumption that all members would elect to participate in the new plan. HTEHPRS' actuary initially estimated a savings of approximately \$2.2 million per annum for MoDOT; a savings of approximately \$310,000 per annum for the non-uniformed patrol; and a savings of approximately \$1.9 million per annum for the uniformed patrol, based upon the same assumption.

HTEHPRS' actuary later revisited the initial assumption and prepared revised cost estimates based on the assumption that all active employees who are age 53 or younger and were hired at age 26 or younger would elect to participate in the new plan and that all other active and inactive members would elect to remain in the existing benefit plan. Under this revised assumption, the contributions necessary to fund the proposed plan would increase approximately \$2.2 million per annum for MoDOT; an increase of approximately \$310,000 per annum for the non-uniformed patrol; and a decrease of approximately \$450,000 per annum for the uniformed patrol.

Other Program Enhancements

While evaluating duty related death benefits, the PSRAC also investigated the possibility of providing triple indemnity life insurance for all state employees who are killed in the line of duty. It was noted during this investigation that the present basic life insurance provided by statute is \$15,000. This provision was enacted in 1988 and contains no inflationary adjustment factor. The typical insurance package offered by both the private sector and some state agencies (Department of Conservation and the regional colleges and universities) is one times annual salary. The PSRAC determined that by changing the present life insurance benefit to one times annual salary, up to a maximum of \$50,000, and providing triple indemnity for duty related deaths (i) inflationary adjustments to coverage levels would be automatic thus requiring no future legislative changes; (ii) uniformity in coverage among state employees would be achieved; and (iii) an additional benefit would be provided to the survivors of employees who are killed in the line of duty.

Recommendation

The PSRAC determined that the plan design of the existing benefit program for public safety employees is not in alignment with the benefit policy of the TFTC which promotes equity among state employees. In light of the fact that there are a wide array of positions in state government which could arguably be considered for membership in a public safety plan, and given the present cost constraints which eliminate plan expansion as a

viable alternative, as well as certain deficiencies in the current plan which require correction, the PSRAC recommends the state adopt the proposed model for all state employees. To recap, the design of the proposed model is based upon personnel management objectives which:

- Reduce turnover among younger employees (the goal for a career employee is 30 years of service).
- Allow/encourage retirement before social security eligibility to:
 - Provide opportunities for promotion.
 - Reduce payroll costs.
 - Refresh the workforce.
 - Address "hazardous" position needs.
- Provide for all dependents in the event of a duty related death.
- Facilitate local to state employment mobility for recruitment purposes.

Although a consensus was reached on the proposed model, HTEHPRS proposed an alternative plan for consideration by the PSRAC. This plan offered a graduated multiplier based on years of service at retirement and is illustrated below:

Proposed Graduated Multiplier

<i>Years of Service at Retirement/Termination</i>	<i>Non-Uniformed Employees</i>	<i>Uniformed Patrol*</i>
Greater than 40	1.80%	2.3333%
35-39	1.75%	2.2833%
30-34	1.70%	2.2333%
Less than 30	1.60%	2.1333%

*For current uniformed Highway Patrol and Water Patrol members, the additional one-third differential would be applied to the 1.6% multiplier. For future hires, the one-third differential would be eliminated.

The HTEHPRS' alternative plan would also retain the existing public safety plan provisions which include the retention of 80 and out and the automatic Joint & 50% survivor benefit. The rationale behind the alternative proposal centered on keeping employees beyond the 30 year career goal, since MoDOT officials anticipate receiving a sizeable increase in federal funds for future transportation projects and are concerned they will lose key staff due to the early retirement incentive offered in the PSRAC proposed model. MoDOT, the highway patrol, and Conservation officials also expressed concerns over the loss of the automatic Joint & 50% survivor benefit since this provision is perceived to be a valuable benefit to their members. (See end of appendix X for letter from HTEHPRS.) Furthermore, both MoDOT and the highway patrol expressed concerns regarding the possibility that the provision could be enacted in the proposed model at some future date thus resulting in future increased costs. (It should be noted that the cost to provide the unreduced Joint & 50% survivor benefit in the proposed plan would result in an estimated increase for MOSERS of approximately \$19 million per annum; an increase of approximately \$2.2 million per annum for MoDOT; an increase of approximately \$390,000 per annum for the non-uniformed patrol; and an increase of approximately \$366,000 per annum for the highway patrol.)

The HTEHPRS' alternative plan was not endorsed by the PSRAC, since it was believed that the increase in federal funding was a temporary problem which could be better addressed through increased salary adjustments (as is the current situation with data processing employees) in lieu of expanding the benefit program. The HTEHPRS' alternative plan also resulted in higher contribution rates than the PSRAC's proposed model.

Other Benefit Recommendations

- Insurance Benefits.** The PSRAC recommends changing the present life insurance benefit to one times annual salary, up to a maximum of \$50,000, and providing triple indemnity for duty related death for all employees. This benefit enhancement would provide (i) an automatic inflationary adjustment to coverage levels thus requiring no future legislative changes; (ii) uniformity in coverage among state employees; and (iii) an additional life benefit to the survivors of employees who are killed in the line of duty. The cost to implement these insurance recommendations for both MOSERS and HTEHPRS is estimated to be approximately \$2.4 million per annum (\$2 million for MOSERS; \$293,000 for MoDOT and \$98,000 for the highway patrol).

Implementation Plan Issue. Under the proposed model, members would be required to make an irrevocable election to participate in the proposed plan or remain in the existing benefit plan immediately prior to retirement. (Past experience suggests that requiring employees to make an "irrevocable" election today hardly ever results in that election remaining permanent – employees will seek membership in whichever plan affords the highest level of benefits regardless of any decision made previously and, when doing so, will make the case that adequate information was not available when the initial election was made.) Additionally, it is also unlikely that MOSERS and HTEHPRS could provide necessary counseling to more than 60,000 employees in a short time frame. In light of the fact that it is in the overall best interest of employees (and ultimately the state in an effort avoid potential litigation) to make elections to participate in the proposed plan immediately prior to retirement, the PSRAC recommends that the proposed death in service and disability provisions be made available to all state employees immediately so that employee elections will not be required before retirement in order to potentially benefit from those provisions. Applying the same logic, if the TFTC decides to move forward with the life insurance proposal, the expanded life insurance coverage should be made available to all state employees without regard to electing coverage under either retirement plan.

- Hazardous Duty Pay.** Inasmuch as the state has not adopted clear guidelines relating to hazardous duty pay, the PSRAC recommends that this issue be addressed by the TFTC as part of their policy on pay.
- Availability of Proposed Retirement Model to Retirees.** The PSRAC has been advised that COMAP previously has taken a position against providing retroactive retirement increases to retirees and that the TFTC continues to be supportive of that position. In light of this fact, the PSRAC has elected to defer this decision to the TFTC for its consideration. (It should be noted that if retirees would be allowed to elect coverage under the new plan for prospective benefits, those making the election may have to give up certain benefits, such as the minimum COLA and automatic Joint & 50 Survivor option, in order to benefit from other provisions of the proposed plan.)

EXECUTIVE ORDER

97-15

WHEREAS, it is in the best interests of the State of Missouri, as an employer, to recruit, retain, and facilitate the retirement of qualified individuals in the field of public safety to provide protection and peace of mind to the citizens of Missouri; and

WHEREAS, the State of Missouri, in recognizing the need for a high quality public safety workforce, also recognizes the necessity of responsible benefit plan design, to attract and retain the workforce expected by the public and to facilitate an earlier retirement for individuals in the field of public safety; and

WHEREAS, the Missouri State Employees' Retirement System and the Highway and Transportation Employees' and Highway Patrol Retirement System currently administer separate retirement programs for Water Patrol and Highway Patrol officers, respectively; and

WHEREAS, the Governor has established the Ad Hoc Task Force on Total Compensation for the purpose of evaluating and recommending courses of action related to total compensation, including retirement and other benefits, to ensure that a comprehensive approach is utilized in assessing the appropriateness of salary and benefit levels for state employees; and

WHEREAS, the Governor's Ad Hoc Task Force on Total Compensation has adopted a benefits policy statement which advocates a total compensation program that (a) provides the highest quality service to the citizens of the State while also providing financial security to employees in an equitable and cost effective manner and (b) eliminates ineffective duplication of benefit plans; and

WHEREAS, the Ad Hoc Task Force on Total Compensation is interested in receiving input from qualified professionals who have expertise in the areas of retirement and public safety to provide a recommendation on the structure of and benefits to be provided by a retirement program for Public Safety employees, including a recommended definition of "public safety employees" eligible for participation in a public safety retirement plan.

NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby establish a Public Safety Retirement Advisory Commission whose task will be to analyze, determine and recommend a retirement plan structure that is consistent with the objectives set forth above. The Commission shall be composed of the following:

- one member of the Ad Hoc Task Force on Total Compensation who shall be appointed by the chairman of the Task Force; and
- one member of the Board of Trustees of the Missouri State Employees' Retirement System or their designee; and
- one member of the Board of Trustees of the Highway and Transportation Employees' and Highway Patrol Retirement System or their designee; and
- one member from the Missouri State Senate appointed by the President Pro Tem; and
- one member from the Missouri House of Representatives appointed by the Speaker of the House; and
- the Directors of the Department of Public Safety, Department of Natural Resources, Department of Conservation, Department of Corrections, the Department of Higher Education and the Court Administrators; and
- the Commissioner of Administration or an appointed designee

The Public Safety Retirement Advisory Commission will coordinate and meet with representatives of state departments, boards and commissions and the General Assembly on issues that overlap in their respective areas of responsibility.

The Public Safety Retirement Advisory Commission shall commence operations on November 1, 1997, and shall terminate operations by October 30, 1998. The Public Safety

Retirement Advisory Commission shall, prior to the termination of operations, furnish a final report to the Ad Hoc Task Force on Total Compensation which provides clear policy recommendations on the structure of and benefits to be provided by a retirement program for Public Safety employees, based on the Public Safety Retirement Advisory Commission's proposed definition of "public safety employees." A copy of the final report shall be submitted to the Governor by the Ad Hoc Task Force on Total Compensation, prior to the termination of the Public Safety Retirement Advisory Commission, and shall include a separate addendum containing the Ad Hoc Task Force's recommended course of action.

The Public Safety Retirement Advisory Commission shall, upon request, receive assistance and cooperation from the various departments of state government which have a stake in the outcome of the Advisory Commission's activity.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 14th day of November, 1997.

Pat Corah
GOVERNOR

ATTEST:

Rebecca M. Corah
SECRETARY OF STATE



**PUBLIC SAFETY RETIREMENT
ADVISORY COMMISSION**

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PUBLIC SAFETY/PEACE OFFICER HISTORICAL DATA

The following information is intended to provide a legislative history of the evolution of public safety benefits under the State Highway Employees and Highway Patrol Retirement System and the Missouri State Employees' Retirement System. The Joint Committee on Public Employee Retirement staff utilized the resources of the Legislative Library and the files of the JCPER since its inception in 1983. We did not research other public safety plans in Missouri nor did we research years prior to 1978. Should the Commission feel it would be beneficial to research years prior to 1978, we will be happy to provide that information.

Both the additional one-third benefit and \$90 per month supplement were enacted into law under the original provisions creating the State Highway Employees and Highway Patrol Retirement System in 1955. At that time, the benefit formula was two-thirds of one percent. The thirty-three and one-third percent factor has remained unchanged although the base formula has been increased five times since 1955. The Missouri State Employees' Retirement System was created in 1957. The first attempt to provide similar benefits for quasi-public safety personnel was in 1983 through HB 1340 providing the additional one-third benefit and \$90 per month supplement for the water patrol, and in SB 106 allowing the Highway Patrol an earlier retirement age, increasing the benefit formula to 50% of final average salary plus 4% per year after 25 years of service (maximum 70%), and including radio personnel. In the omnibus retirement bill of 1984, House Bill 1370--sponsored by Representative Gladys Marriott--members of the water patrol were granted the additional one-third benefit. Interestingly, the additional \$90 per month was not included as was proposed in 1983. There were 21 bills filed between 1983 and 1996 affecting seven different employee groups, those being: radio personnel, water patrol, vehicle inspectors, driver license examiners, weight division employees, conservation agents and park rangers.

It is worth noting the extremely large number of retirement bills filed between 1978 and 1996. There was a total of 730 bills introduced and a total of 125 truly agreed and finally passed. In researching our files, no particular amendment for the public safety groups mentioned above was found in the comprehensive retirement bills.

There were several references defining public safety, peace officers and those who possess law enforcement certification. These include Chapter 590, Sections 571.030 and 252.085. Chapter 590 defines peace officers and sets standards for selection and training. These references are attached.

Separate from legislation, a 1996 Joint Interim Committee on Probation and Parole included in its report a recommendation for additional retirement benefits for probation and parole officers.

The two current groups of public safety employees who have been granted additional retirement benefits are not only segregated by statutory definition but are also under two separate retirement systems with differing survivor benefits, disability benefits, health insurance and life insurance. Careful consideration should be given by the Commission in evaluating these benefit differences.

PUBLIC SAFETY/PEACE OFFICER PROPOSALS

Year	Bill	SPONSOR	DESCRIPTION
1983	HB 340	Marriott	Additional one-third benefit increase for Water Patrol
	SB 106	Murphy	Earlier retirement age; benefit formula increased to 50% of final average salary plus 4% per year after 25 years of service; Max. 70%; radio personnel included
1984	HB 1370	Marriott	Omnibus retirement bill included one-third benefit increase for Water Patrol -Signed into law
	HB 1398	Ward	Vehicle inspectors, driver license examiners & weight division employees included in definition of patrolmen
	SB 486	Merrell (Eleven cosponsors)	Highway Patrol benefit increase - 2.5% first 20 years plus 2% thereafter, not to exceed 70%; radio personnel included
1985	HB 672	Ward & McKenna	Vehicle inspectors, driver license examiners & weight division employees included in definition of patrolman
	HB 679	Raisch	2% benefit formula for Conservation agents
	SB 217	Mathewson	Radio personnel included in definition of patrolman
	SB 230	Doctorian & Johnson	General employees of patrol qualify for additional one-third benefit

1986	HB 1365	Skaggs	2% benefit formula for Conservation agents
	SB 777	Quick	Same as HB 1365
1987	HB 275	Skaggs	Additional one-third benefit for Conservation agents
	HB 454	Skaggs	2% benefit formula for Conservation agents
	SB 281	Wilson	Additional one-third benefit for Conservation agents
1988	HB 1684	Skaggs	Additional one-third for Conservation agents
	SB 744	Johnson	Additional one-third for Conservation agents
1989	SB 175	Johnson	Additional one-third for Conservation agents
1991	HB 155	Whitten	Additional one-third - Park Ranger w/normal retirement at age 55 w/10 YOS
1992	HB 1267	Driskill	Radio personnel included in definition of patrolman
1993	HB 678	Driskill	Radio personnel included in definition of patrolman
1994	HB 1283	Koller	Radio personnel included in definition of patrolman
1996	SB 900	Johnson	Removal of additional \$90 for new hires

RETIREMENT LEGISLATION

YEAR	FILED	TAFFP
1978	54	5
1979	58	11
1980	64	5
1981	72	12
1982	53	7
1983	43	12
1984	46	9
1985	51	8
1986	61	12
1987	55	10
1988	37	7
1989	47	11
1990	46	9
1991	43	7

RETIREMENT LEGISLATION

(Continued)

YEAR	FILED	TAPP
1992	66	12
1993	49	10
1994	50	10
1995	56	8
1996	44	17
1997	45	11

PUBLIC SAFETY RETIREMENT PLAN SURVEY*

State	1. Do you have a separate benefit structure for public safety employees?	2. Which employee classifications are considered to be public safety?	3. Is there a general requirement for being classified as public safety?	4. Is training or certification required?	5. Do benefits differ for public safety employees relative to general employees?	6. Do public safety employees have a mandatory retirement age?	7. Are your public safety employees covered by social security?	8. Does your retirement system require employee contributions?
AR	Yes	Highway Patrol/State Police	Yes	Yes	Yes	No	Yes	No
IL	Yes	Highway Patrol/State Police, Conservation Agents, Corrections Officers, P & P Officers, Others	Yes	Yes	Yes	No	No	Yes
IA	Yes	Highway Patrol, State Police, Conservation Agents, Corrections Officers, P & P Officers, Firefighters, Others	Yes	No	Yes	Yes	Yes (excluding Highway Patrol, Police and Firefighters in town over 8,000)	Yes
KS	Yes	Highway Patrol/State Police, City Police, Firefighters	Yes	No	Yes	No	Yes	Yes
KY	Yes	Highway Patrol, State Police, Park Rangers, Corrections Officers, P & P Officers, Others	Yes	Yes	Yes	No	Yes	Yes
NB	No Response	Highway Patrol, State Police, Park Rangers, Corrections Officers, P & P Officers, Others						
OK	Yes	Highway Patrol, State Police, Park Rangers, Corrections Officers, P & P Officers, Others	Yes	Yes	Yes	No	Yes (excluding Highway Patrol Officers)	Yes
TN	No							

*See individual survey results for detail.

PUBLIC SAFETY RETIREMENT PLAN SURVEY
ARKANSAS

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Officers	<input type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input type="checkbox"/>	<input type="checkbox"/>

Others (please describe) _____

Prior to 7/1/97, the Public Safety Plan was comprised of state police, capitol police and conservation agents. Effective 7/1/97, all new hires (excluding state police) will become members of the General Employee Plan.

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

The primary duty must be as a law enforcement officer.

4. If training or certification is required, please describe:

Must be certified by training academy.

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

PUBLIC SAFETY RETIREMENT PLAN SURVEY
ARKANSAS

Public Safety members may retire at age 55 with 13.5 years of service and a benefit formula which is 1.5% times the benefit available to general employees. General employees may retire at age 65 with 5 years of service.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: General Employees ____% Public Safety Employees ____%

PUBLIC SAFETY RETIREMENT PLAN SURVEY
ILLINOIS

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Corrections Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Others (please describe)

Firefighters, Air Pilots, Special Agents, Secretary of State Investigators, Revenue Investigators, Department of Mental Health and Developmental Disabilities Security Employees including Mental Health Police Officers, Central Management Services Police, Department of Corrections Security Employees (including Prisoner Review Board), Dangerous Drug Investigators, State Police Investigators, Attorney General Investigators, Controlled Substance Inspectors, State's Attorneys Appellate Prosecutor Investigators, Commerce Commission Police Officers.

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

Must be an armed sworn officer with arrest authority and ineligible for coverage under the Social Security Act by reason of sections 218(d)(5)(A), 218 (d)(8)(D) and 218 (l)(1).

4. If training or certification is required, please describe:

As required by the employing agency.

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
ILLINOIS**

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

The groups mentioned previously are eligible for the alternative benefit formula described below:

Credited Service	Coordinated Covered*	Non-Coordinated Non-Covered**
1st 10 years	1.67%	2.25%
2nd 10 years	1.90%	2.50%
3rd 10 years	2.10%	2.75%
Over 30 years	2.30%	

*A member of the System who participates in the federal social security program and the System.

**A member of the System who participates in the System, but does not participate in the federal social security program. The member may, however, be required to contribute to the federal medicare program.

All members eligible for the alternative formula may retire at age 50 with at least 25 years of credited service or at age 55 with 20 years of credited service in a position covered by the alternative formula.

General employees are eligible for the benefit formula described below:

Credited Service	Coordinated Covered*	Non-Coordinated Non-covered**
For all years of service	1.67%	2.20%

*A member of the System who participates in the federal social security program and the System.

**A member of the System who participates in the System, but does not participate in the federal social security program. The member may, however, be required to contribute to the federal medicare program.

The eligibility requirements for general employees are:

- at any age with at least 35 years of credited service;
- at age 55 with at least 30 years of credited service (reduced $\frac{1}{2}$ of 1% for each month under age 60); or
- at age 60 with at least 8 years of credited service.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
ILLINOIS**

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

(Air pilots, corrections officers and mental health security employees are covered by social security.)

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: **General Employees 4% for coordinated covered; 8% for non-coordinated non-covered**

Public Safety Employees 5.5% for coordinated covered; 9.5% for non-coordinated non-covered

PUBLIC SAFETY RETIREMENT PLAN SURVEY
IOWA

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No	
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(Separate Plan for Highway Patrol)
Conservation Agents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Park Rangers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Corrections Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Probation & Parole Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Others (please describe) **Firefighters, Airport Safety Officers**

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

Sheriff means a county sheriff as defined in section 39.17 and deputy sheriff means a deputy sheriff appointed pursuant to section 341.1 prior to July 1, 1981, or section 331.903 on or after July 1, 1981.

A member employed in a protection occupation includes

- **a conservation peace officer;**
- **a marshal in a city not covered under chapter 400 or a firefighter or police officer of a city not participating in the retirement systems established in chapter 410 or 411;**
- **a correctional officer or correctional supervisor employed by the Iowa department of corrections, and any other employee of that department whose primary purpose is, through ongoing direct inmate contact, to enforce and maintain discipline, safety and security within a correctional facility;**
- **an airport safety officer employed under chapter 400 by an airport commission in a city of one hundred thousand population or more;**

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
IOWA**

- an employee of the state department of transportation who is designated as a peace officer by resolution under section 321.477, but only if the employee retires on or after July 1, 1990 (service as a traffic weight officer employed by the highway commission prior to the creation of the state department of transportation or as a peace officer employed by the Iowa state commerce commission prior to the creation of the state department of transportation shall be included in computing the employee's years of membership service);
- a fire prevention inspector peace officer employed by the department of public safety prior to July 1, 1994, who does not elect coverage under the Iowa department of public safety peace officers retirement, accident and disability system; and
- an employee of a judicial district department of correctional services who is employed as a probation officer III or a parole officer III.

4. If training or certification is required, please describe:

No (See note at end of survey).

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

Sheriffs, deputy sheriffs, and airport fire fighters retire with a formula of 60% of the member's average highest three wage years at age 55 with 22 years of service.

Protection Occupations (a grouping of correctional officers, conservation officers, probation and parole officers and police and fire personnel in cities and towns under 8,000) retire with a formula of 60% at age 55 with 25 years of service.

General employees retire with a formula of 2% per year for 30 years of service plus 1% for years 31-35 times average highest three years of wages. Eligible for normal retirement at age 65, 62 or Rule of 88.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: **65**

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
IOWA**

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

(Highway Patrol and Police and Firefighters in cities and towns over 8,000 are not covered by social security.)

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: General Employees 3.75%

Public Safety Employees 5.91% (Sheriffs); 5.64% (PO)

(Note: Legislation is being introduced to the 1998 General Assembly that would allow sheriffs, deputy sheriffs, and airport firefighters become the domain of all personnel who have achieved a certificate from the Iowa Law Enforcement Academy or who are certified professional firefighters. All others would be members of the protection occupation group.)

PUBLIC SAFETY RETIREMENT PLAN SURVEY
KANSAS

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Officers	<input type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input type="checkbox"/>	<input type="checkbox"/>

Others (please describe) **City Police and Firefighters**

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

Fireman or firemen means an employee assigned to the fire department and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom or in support thereof and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such.

Police, policeman or policemen means an employee assigned to the police department and engaged in the enforcement of law and maintenance of order within the state and its political subdivisions, including sheriffs and sheriffs' deputies, or in support thereof and who is specifically designated, appointed, commissioned or styled as such by the governing body or city manager of the participating employer and certified to the retirement system as such.

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
KANSAS**

4. If training or certification is required, please describe:

Currently, there is no certification required for firemen. Legislation has been introduced that will require police officers to be certified by the Kansas Law Enforcement Training Academy.

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

Public Safety Employees - benefit formula is 2.5% for each year of service, maximum of 80%. For those hired before 7/1/93, FAS equals the average of the three highest years of the last five, including additional compensation such as sick and annual leave. For those hired on or after 7/1/93, FAS equals the average of the three highest years of the last five, with no additional compensation included. Members are eligible to retire under Tier 1 plan at age 55 with 20 years of service; Tier II at age 50 with 25 years of service; age 55 with 20 years of service or age 60 with 15 years of service.

General Employees - benefit formula is 1.75% for participating service, .75% and 1% for prior service. For those hired prior to 7/1/93, FAS equals the greater of either a four year FAS including additional compensation such as sick and annual leave or a three year FAS including additional compensation such as sick and annual leave. For those hired on or after 7/1/93, FAS equals the average of three highest years, excluding additional compensation, such as sick and annual leave. Members are eligible to retire for unreduced benefits at age 65; age 62 with 10 years of service; any age when combined age and years of service equals 85.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
KANSAS**

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No
(Some)

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: **General Employees 4% Public Safety Employees 7%**

PUBLIC SAFETY RETIREMENT PLAN SURVEY
KENTUCKY

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Corrections Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Others (please describe) **Those eligible under the definition of hazardous position.**

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

Hazardous position means any position whose principal duties involve active law enforcement, including the positions of probation and parole officer and Commonwealth detective, active fire suppression or prevention, or other positions, including, but not limited to, pilots of the Transportation Cabinet and paramedics and emergency medical technicians, with duties that require frequent exposure to a high degree of danger or peril and also require a high degree of physical conditioning. Hazard positions shall include positions in the Department of Corrections in state correctional institutions and the Kentucky Correctional Psychiatric Center with duties that regularly and routinely require face to face contact with inmates.

4. If training or certification is required, please describe:

The Kentucky State Police offers its own certification program to police officers.

PUBLIC SAFETY RETIREMENT PLAN SURVEY
KENTUCKY

The Kentucky Law Enforcement Foundation Program Fund (a separate state fund) offers a salary supplement (which may be used for retirement purposes) to employees who participate in the state training program.

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

Employees holding hazardous positions in the State Police Retirement System (SPRS) and County Employees Retirement System (CERS) may retire at age 55 with at least 60 months of service credit and a benefit formula of 2.5%; employees holding hazardous positions in the Kentucky Employees Retirement System (KERS) may retire at age 55 with at least 60 months of service credit and a benefit formula of 2.49%.

A regular member of CERS and KERS may retire at age 65 with 48 months of service.; CERS benefit formula is 2.2%; KERS' benefit formula is 1.97%.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: **General Employees 5% Public Safety Employees 7%**

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
NEBRASKA**

1. Do you have a separate benefit structure for public safety employees?

Yes No **No response received.**

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Officers	<input type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input type="checkbox"/>	<input type="checkbox"/>
Others (please describe)	<hr/> <hr/> <hr/>	

3. If there is a general requirement for being classified as public safety please describe (such as being an armed sworn officer with arrest authority):

4. If training or certification is required, please describe:

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
NEBRASKA**

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: General Employees ____% Public Safety Employees ____%

PUBLIC SAFETY RETIREMENT PLAN SURVEY
OKLAHOMA

1. Do you have a separate benefit structure for public safety employees?

Yes No

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No	
Highway Patrol/State Police	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(Oklahoma Law Enforcement System)
Conservation Agents	<input type="checkbox"/>	<input type="checkbox"/>	
Park Rangers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(Oklahoma Law Enforcement System)
Corrections Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(Oklahoma Public Employees System)
Probation & Parole Officers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	(Oklahoma Public Employees System)

Others (please describe) **Oklahoma Law Enforcement System** also includes Lake Patrol, Bureau of Investigations Agents, Narcotics Agents, Alcohol Enforcement Agents, Pharmacy Board Investigators, Department of Public Safety Communications Officers and Gunsmiths.

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

All members in the Oklahoma Law Enforcement System are commissioned peace officers except Department of Public Safety Communications Officers. No requirement for members of the Oklahoma Public Employees System.

4. If training or certification is required, please describe:

Certification is required for commissioned peace officers.

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
OKLAHOMA**

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

Oklahoma Law Enforcement System - members may retire with 20 years of service and a benefit formula of 2.5%.

Oklahoma Public Employees System (for Probation & Parole and Corrections Officers) - members may retire with 20 years of PP/C Officer service provided they have attained the age of 50 under the following benefit formulas:

- 2.50% times FAC (up to \$25,000) for service as PP/C Officer after 7/1/90
- 2.25% times FAC (up to \$25,000) for service as PP/C Officer prior to 7/1/90
- 2.00% applied to all final average compensation in excess of \$25,000, and any correctional service beyond 20 years, and any other service credit.

General members of the Oklahoma Public Employees System may retire at age 62 or when the sum of years of service and age equals 80 (or 90 for those employees entering the system after 7/1/92) with a benefit formula of 2%. Compensation calculations for service prior to 7/1/94 are capped at either \$25,000 or \$40,000, depending upon the election of the employee. Compensation calculations for years after 7/1/94 are based upon the current compensations caps which are being phased out. The compensation cap for the current fiscal year is \$80,000. Thereafter, there will be no compensation cap.

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

(Except Highway Patrol Officers are not covered by social security.)

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
OKLAHOMA.**

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate:

Oklahoma Law Enforcement System - members pay 8%.

Oklahoma Public Employees System - on compensation less than \$25,000, general employees pay 3% (3.5% in FY99); PP/C Officers pay 7.5% (8% in FY 99). On compensation above \$25,000, general employees pay 3.5%; PP/C Officers pay 8%.

PUBLIC SAFETY RETIREMENT PLAN SURVEY
TENNESSEE

1. Do you have a separate benefit structure for public safety employees?

Yes No **We are studying these issues at this time.**

If yes, please respond to the following questions:

2. Which employee classifications are considered to be public safety?

	Yes	No
Highway Patrol/State Police	<input type="checkbox"/>	<input type="checkbox"/>
Conservation Agents	<input type="checkbox"/>	<input type="checkbox"/>
Park Rangers	<input type="checkbox"/>	<input type="checkbox"/>
Corrections Officers	<input type="checkbox"/>	<input type="checkbox"/>
Probation & Parole Officers	<input type="checkbox"/>	<input type="checkbox"/>

Others (please describe) _____

3. If there is a general requirement for being classified as public safety, please describe (such as being an armed sworn officer with arrest authority):

4. If training or certification is required, please describe:

5. Please describe how benefits differ for public safety employees relative to benefits available to general employees (such as earlier retirement or higher benefit formula):

**PUBLIC SAFETY RETIREMENT PLAN SURVEY
TENNESSEE**

6. Do public safety employees have a mandatory retirement age?

Yes No

If yes, what age: _____

7. Are your employees covered by Social Security?

General Employees

Yes No

Public Safety Employees

Yes No

8. Does your retirement system require employee contributions?

Yes No

If yes, at what rate: General Employees ____% Public Safety Employees ____%

STATE DEFINITIONS

8.177. Missouri capitol police officers, powers and duties. 1. The director of the department of public safety shall employ Missouri capitol police officers for public safety at the seat of state government. Each Missouri capitol police officer, upon appointment, shall take and subscribe an oath of office to support the constitution and laws of the United States and the state of Missouri and shall receive a certificate of appointment, a copy of which shall be filed with the secretary of state, granting such police officers all the same powers of arrest held by other police officers to maintain order and preserve the peace in all state-owned or leased buildings, and the grounds thereof, at the seat of government and such buildings and grounds within the county which contains the seat of government.

70.820. Authority of peace officers to respond to emergencies outside jurisdiction--definitions--authority of peace officers in certain cities and counties. 1. Any law enforcement officer as defined by section 556.061, RSMo, full-time peace officer as defined by section 590.100, RSMo, of a county or a full-time peace officer of any political subdivision who is certified pursuant to chapter 590, RSMo, or a chief executive officer as defined by section 590.100, RSMo, of a county or any political subdivision, certified pursuant to chapter 590, RSMo, shall have the authority to respond to an emergency situation outside the boundaries of the political subdivision from which such peace officer's authority is derived. This section does not apply to any peace officer certified pursuant to subsection 6 of section 590.105, RSMo.

173.260 Public service officer's or employee's child survivor grant program, board to administer--requirements for grant, amount--transfer, withdrawal of student.--

1. As used in this section, unless the context clearly requires otherwise, the following terms mean:

(6) "Public safety officer", any firefighter, police officer, parole officer, probation officer, state correctional employee, water safety officer, conservation officer or highway patrolman employed by the state of Missouri or a political subdivision thereof who is killed in the line of duty:

Chapter 252 Department of Conservation--Fish and Game

Arrests by commission agents certified as peace officers or instructors, powers, limitation.

252.085. 1. All authorized agents of the commission who have attained proper certification as peace officers in accordance with the provisions of chapter 590, RSMo, and all authorized agents of the commission who attain proper certification as instructors under chapter 590, RSMo, are hereby declared to be officers of the state of Missouri and shall be so deemed and taken in all courts having jurisdiction of offenses against the laws of this state.

253.065. Park rangers, appointment, powers as peace officers. 1. Each park ranger employed by the director of the department of natural resources and such other employees as may be designated by the director shall be certified by the director of the department of public safety, as provided in chapter 590, RSMo. Each such person shall take and subscribe an oath of office to perform his duties faithfully and impartially and shall be given a certificate of commission as a peace officer for state parks. The commission shall grant him the same powers as other peace officers to maintain order, preserve the peace and make arrests for violations of law on all land under the jurisdiction and control of the director and on all state and county highways within the boundaries of state parks.

320.320. Volunteer firefighters serving without compensation, declared to be public safety officers of state. 1. A volunteer firefighter serving a rural, volunteer or subscription fire department or organization is serving the state of Missouri in an official capacity as a fire protection volunteer and is hereby declared to be a **public safety officer** of the state of Missouri serving without compensation.

544.159. 1. For purposes of this section, “**federal law enforcement officer**” means a person employed by the United States Government who is empowered to effect an arrest with or without a warrant for violation of the United States Code and who is authorized to carry a firearm in the performance of the person’s official duties as a federal law enforcement officer.

Chapter 571

Unlawful use of weapons--exceptions--penalties.

571.030 2. (1) All state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;

(3) Members of the armed forces or national guard while performing their official duty;

(4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;

(5) Any person whose bona fide duty is to execute process, civil or criminal;

(6) Any federal probation officer;

(7) Any state probation or parole officer, including supervisors and members of the board of probation and parole, authorized to carry a firearm pursuant to section 217.710, RSMo; and

(8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340, RSMo.

Chapter 590

Selection and Training of Peace Officers

Definitions.

590.100 (4) “Peace officer”, members of the state highway patrol, all state, county, and municipal law enforcement officers possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full time, with pay;

590.105 2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred [fifty] **seventy** hours of training as peace officers and be certified to be eligible for employment.

by a duly constituted law enforcement agency or any other school approved under chapter 590, RSMo

590.105. Mandatory standards for basic training - limitations - variances authorized - federal officers may participate, costs - third class counties, requirement for certification - hours, credit.

1. A program of mandatory standards for the basic training and certification of peace officers and a program of optional standards for the basic training and certification of reserve officers in this state is hereby established. The peace officer standards and training commission shall establish the minimum number of hours of training and core curriculum. In no event, however, shall the commission require more than one thousand hours of such training for either peace or reserve officers employed by any state law enforcement agency, or more than six hundred hours of such training for other peace or reserve officers; provided, however, that the minimum hours of training shall be no lower than the following:

(1) One hundred twenty hours as of August 28, 1993;
(2) Three hundred hours as of August 28, 1994, and
(3) Four hundred seventy hours as of August 28, 1996. The higher standards provided in this section for certification after August 28, 1993, shall not apply to any peace or reserve officer certified prior to August 28, 1993, or to deputies of any sheriff's department in any city not within a county requiring no more or less than one hundred twenty hours of training. Certified peace and reserve officers between January 1, 1992, and August 28, 1995, shall only meet the hours of training applicable to the year in which the officer was employed or appointed.

2. Beginning on August 28, 1996, peace officers shall be required to complete the four hundred fifty hours of training as peace officers and be certified to be eligible for employment. Park rangers appointed pursuant to section 64.335, RSMo, who do not carry firearms shall be exempt from the training requirements of this section.

3. Bailiffs who are not certified peace officers shall be required to complete a minimum of sixty hours of mandated training, except that any person who has served as a bailiff prior to January 1, 1995, shall not be required to complete the training requirements mandated by this subsection, provided such person's training or experience is deemed adequate by the peace officer standards and training commission in accordance with current standards.

4. All political subdivisions within this state may adopt standards which are higher than the minimum standards implemented pursuant to sections 590.100 to 590.180, and such minimum standards shall in no way be deemed adequate in those cases in which higher standards have been adopted.

5. Any federal officer who has the duty and power of arrest on any federal military installation in this state may, at the option of the federal military installation in which the officer is employed, participate in the training program required under the provisions of sections 590.100 to 590.180 and, upon satisfactory completion of such training program, shall be certified by the director in the same manner provided for peace officers, as defined in section 590.100, except that the duty and power of arrest of military officers for violation of the general criminal laws of the state or for violation of ordinances of counties

TRAINING - HIGHWAY PATROL AND WATER PATROL

590.100. Definitions.

As used in sections 590.100 to 590.180, the following terms mean

- (1) "Certified training academy", any academy located within the state of Missouri which has been certified by the director to provide training programs for peace officers in this state;
- (2) "Chief executive officer", the chief of police, director of public safety, sheriff, department head or chief administrator of any law enforcement or public safety agency of the state or any political subdivision thereof who is responsible for the prevention and detection of crime and the enforcement of the general criminal laws of the state or for violation of ordinances of a county or municipality;
- (3) "Director", the director of the Missouri department of public safety;
- (4) "**Peace officer**", members of the state highway patrol, all state, county, and municipal law enforcement officers possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state who serve full time, with pay,
- (5) "Reserve officer", any person who serves in a less than full-time law enforcement capacity, with or without pay, and who, without certification, has no power of arrest and who, without certification, must be under the direct and immediate accompaniment of a certified peace officer of the same agency at all times while on duty ... a county or the first class adjoining a city not within a county, reserve peace officers may engage in all nonprimary enforcement activities without being under direct or immediate accompaniment of a certified peace officer

590.115. Training requirements recommended, for whom - commission may determine requirements - transfer, effect - prior training, what qualifies for certification - continuing law enforcement education and training, participation, costs

1. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a peace officer who has been consistently employed as a full-time peace officer and was appointed before December 31, 1978, whether or not such officer changes his place of employment
2. Training and certification requirements specified in sections 590.100 to 590.180 are recommended but not required of a reserve officer who was appointed as a reserve officer prior to August 15, 1988. Requirements for certification of such reserve officers may be determined by the commission. A certified reserve officer may transfer from one similar jurisdiction to another as a certified reserve officer without any additional training requirements unless or until the certified reserve officer becomes or attempts to become a full-time peace officer, at which time the individual must satisfy the requirements of this chapter to become a certified full-time police officer, or unless or until the certified reserve officer attempts to become a certified reserve officer in a jurisdiction wherein the basic

training requirement is higher than the previous jurisdiction's basic training requirement, at which time the individual must satisfy the higher basic training requirements of the new jurisdiction to become a certified reserve officer

3. Except as provided in subsections 1, 2 and 4 of this section, in the event that a peace officer claims to have had prior basic training, the chief executive officer shall furnish to the director evidence that the noncertified officer has satisfactorily completed instruction in a course of basic training for peace officers conducted by a law enforcement training academy or institute which is approved by the director as providing basic training equivalent to standards set for jurisdictions within this state. The basic training course satisfactorily completed by the noncertified officer shall meet the minimum basic training requirements of the jurisdiction in which he is appointed or is to be appointed as required under the provisions of sections 590.100 to 590.180

4. The director may certify a chief executive officer as qualified under sections 590.100 to 590.180, if the person's employer furnishes the director with evidence that the chief executive officer has training or experience equivalent to the standards set forth in subsection 1, 2, or 3 of this section or is a graduate of the FBI National Academy or its equivalent as determined by the director, or holds a bachelor of science degree in criminal justice or a related field received from an accredited college or university or a doctor of jurisprudence degree received from a college or university approved by the American Bar Association.

5. Peace officers and reserve officers meeting the basic training requirements under sections 590.100 to 590.180 shall be eligible to be certified by the director.

6. Beginning August 28, 1996, the peace officer's standards and training commission shall establish a program of continuing law enforcement education and training. Each peace officer or reserve officer subject to the training provisions of sections 590.100 to 590.180 shall participate in continuing law enforcement education to maintain certification. The providers of continuing law enforcement education and training, as well as the contents and subject matter thereof, shall be subject to the approval of the peace officer standards and training commission. The costs of the continuing law enforcement education and training offered by certified providers to persons entitled to receive such education and training shall be reimbursed by moneys from the peace officer standards and training commission fund created in section 590.178. The peace officers standards and training commission shall require by rule that all peace officers or reserve officers, subject to the training provisions herein, contribute, based on standards set by the commission, to the cost of said training.

7. The peace officers standards and training commission may provide by rule for the reciprocal recognition of equivalent entry level core basic training at a training center by law enforcement officers of the federal government or other states or territories of the United States, and may require such additional training prior to certification as the commission deems necessary

COMMISSIONING HIGHWAY PATROL

43.140. Members' oaths -- bonds.

1. The members of the patrol, before entering upon the discharge of their duties, shall each take and subscribe an oath to support the constitution and laws of the United States and the state of Missouri and to faithfully demean themselves in office in the form prescribed by section 11, article VII, of the constitution of this state and they shall each faithfully perform the duties of their respective offices and safely keep and account for all moneys and property received by them.

2. The superintendent, major, director of radio, each member assigned to duty in the department of finance and statistics and each member assigned to duty in the department of supplies and equipment shall give bond to be approved by the commission. The bond of the superintendent shall be twenty thousand dollars, and for each other member required to be bonded, ten thousand dollars. The cost of furnishing all such bonds shall be paid by the state

COMMISSIONING WATER PATROL

306.165. Water patrolman, powers, duties and jurisdiction of

Each water patrolman appointed by the Missouri state water patrol and each of such other en-joyees as may be designated by the patrol, before entering upon his duties, shall take and subscribe an oath of office to perform his duties faithfully and impartially, and shall be given a certificate of appointment, a copy of which shall be filed with the secretary of state, granting him all the powers of a peace officer to enforce all laws of this state, upon all of the following:

- (1) The waterways of this state bordering the lands set forth in subdivisions (2), (3), (4), and (5) of this section;
- (2) All federal land, where not prohibited by federal law or regulation, and state land adjoining the waterways of this state;
- (3) All land within three hundred feet of the areas in subdivision (2) of this section;
- (4) All land adjoining and within six hundred feet of any waters impounded in areas not covered in subdivision (2) with a shoreline in excess of four miles;
- (5) All land adjoining and within six hundred feet of the rivers and streams of this state;
- (6) Any other jurisdictional area, pursuant to the provisions of section 306.167.

Each water patrolman may board any watercraft at any time, with probable cause, for the purpose of making any inspection necessary to determine compliance with the provisions of this chapter. Each water patrolman may arrest on view, and without a warrant, any person he sees violating or who he has reasonable grounds to believe has violated any law of this state, upon any water or land area subject to his jurisdiction as provided in this section. It is further provided that each water patrolman shall be bonded in like manner and amount as sheriffs under section 57 020, RSMo. Each water patrolman shall, within six months after receiving his certificate of appointment, satisfactorily complete a law enforcement training course including six hundred hours of actual instruction conducted

590.120. Peace officer standards and training commission established - members, qualifications, appointment - terms - duties - removal from office - vacancies - chairperson, appointment - rules and regulations, authority.

1. There is hereby established within the department of public safety a "Peace Officer Standards and Training Commission" which shall be composed of nine members, including a voting public member, appointed by the governor, by and with the advice and consent of the senate, from a list of qualified candidates submitted to the governor by the director of the department of public safety. No member of the commission shall reside in the same congressional district as any other at the time of their appointments but this provision shall not apply to the public member. Three members of the commission shall be police chiefs, three members of the commission shall be sheriffs, one member of the commission shall represent a state law enforcement agency covered by the provisions of sections 590.100 to 590.180, and one member shall be a chief executive officer of a certified training academy. The public member shall be at the time of appointment a registered voter; a person who is not and never has been a member of any profession certified or regulated under this chapter or the spouse of such person, and a person who does not have and never has had a material financial interest in either the providing of the professional services regulated by sections 590.100 to 590.180, or an activity or organization directly related to any profession certified or regulated under sections 590.100 to 590.180. Each member of the commission shall have been at the time of his appointment a citizen of the United States and a resident of this state for a period of at least one year, and members who are peace officers shall be qualified as established by sections 590.100 to 590.180. No member of the commission serving a full term of three years may be reappointed to the commission until at least one year after the expiration of his most recent term.
2. Three of the original members of the commission shall be appointed for terms of one year, three of the original members shall be appointed for terms of two years, and three of the original members shall be appointed for terms of three years. Thereafter the terms of the members of the commission shall be for three years or until their successors are appointed. The director may remove any member of the commission for misconduct or neglect of office. Any member of the commission may be removed for cause by the director but such member shall first be presented with a written statement of the reasons thereof, and shall have a hearing before the commission if the member so requests. Any vacancy in the membership of the commission shall be filled by appointment for the unexpired term.
3. Annually the director shall appoint one of the members as chairperson. The commission shall meet at least twice each year as determined by the director or a majority of the members to perform its duties. A majority of the members of the commission shall constitute a quorum.
4. No member of the commission shall receive any compensation for the performance of his official duties.
5. The commission shall establish the core curriculum and shall also formulate definitions, rules and regulations for the administration of peace officer standards and training and guide and advise the director concerning duties as outlined by sections 590.100 to 590.180. No rule or portion of a rule promulgated under the authority of this chapter shall

or municipalities of the state shall extend only to the geographical boundaries within which the federal military installation is located. Any costs involved in the training of a federal officer shall be borne by the participating federal military installation.

6. Notwithstanding any provision of this chapter to the contrary, any peace officer who is employed by a law enforcement agency located within a county of the third classification shall be required to have no more or less than one hundred twenty hours of training for certification if the respective city or county adopts an order or ordinance to that effect.

7. The peace officers standards and training commission with input from the department of health and the division of family services shall provide a minimum of thirty hours of initial education to all prospective law enforcement officers, except for agents of the conservation commission, concerning domestic and family violence.

8. The course of instruction and the objectives in learning and performance for the education of law enforcement officers required pursuant to subsection 6 of this section shall be developed and presented in consultation with public and private providers of programs for victims of domestic and family violence, persons who have demonstrated expertise in training and education concerning domestic and family violence, and the Missouri coalition against domestic violence. The peace officers standards and training commission shall consider the expertise and grant money of the national council of juvenile and family court judges, with their domestic and family violence project, as well as other federal funds and grant moneys available for training.

9. The course of instruction shall include, but is not limited to,

(1) The investigation and management of cases involving domestic and family violence and writing of reports in such cases, including,

(a) Physical abuse;

(b) Sexual abuse;

(c) Child fatalities;

(d) Child neglect;

(e) Interviewing children and alleged perpetrators;

(2) The nature, extent and causes of domestic and family violence;

(3) The safety of officers investigating incidents of domestic and family violence;

(4) The safety of the victims of domestic and family violence and other family and household members;

(5) The legal rights and remedies available to victims of domestic and family violence, including but not limited to rights and compensation of victims of crime, and enforcement of civil and criminal remedies;

(6) The services available to victims of domestic and family violence and their children;

(7) Sensitivity to cultural, racial and sexual issues and the effect of cultural, racial, and gender bias on the response of law enforcement officers and the enforcement of laws relating to domestic and family violence; and

(8) The provisions of applicable state statutes concerning domestic and family violence.

become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo

History

L 1978 H B 879 & 899 § 5, A.L. 1988 S.B. 532, A.L. 1993 S.B. 52 and S.B. 268; A.L. 1995 S.B. 3

252.068. Arrest powers of certain conservation department employees -.

When there is reasonable grounds to believe that a person has committed or is in the process of committing a violation of the laws or rules and regulations pertaining to wildlife and forestry resources of the state, any commission or department employee who has been trained and certified as an investigative assistant by the director may

- (1) Detain the person in a reasonable manner and for a reasonable length of time for the purpose of investigating and reporting such a violation to law enforcement officers; and
- (2) Contact law enforcement officers and assist with criminal proceedings against such person.

252.080. Arrest by commission agents for violations of conservation rules, powers.

Every authorized agent of the commission shall have the same power to serve criminal process as sheriffs and marshals, only in such cases as are violations of this law and rules and regulations of the commission, and have the same right as sheriffs and marshals to require aid in the execution of such process. Any such agent may arrest, without warrant, any person caught by him or in his view violating or who he has good reason to believe is violating, or has violated this law or any such rules and regulations, and take such person forthwith before an associate circuit judge or any court having jurisdiction, who shall proceed without delay to hear, try and determine the matter as in other criminal cases.

252.085. Arrests by commission agents certified as peace officers or instructors, powers, limitation.

1. All authorized agents of the commission who have attained proper certification as peace officers in accordance with the provisions of chapter 590, RSMo, and all authorized agents of the commission who attain proper certification as instructors under chapter 590, RSMo, are hereby declared to be officers of the state of Missouri and shall be so deemed and taken in all courts having jurisdiction of offenses against the laws of this state.
2. All such agents shall have full power and authority as now or hereafter vested by law in peace officers when working with and at the special request of the sheriff of any county, or the chief of police of any city, or under the direction of the superintendent of the state highway patrol; except that the authorized agent of the commission who is working in any county as provided in this section and section 252.225 and at the request of any agency other than that of the county sheriff's department shall notify immediately the sheriff or the sheriff's designee of the county where the request originated
3. All authorized agents may arrest, without warrant or process of any kind, any person who they have probable cause to believe has committed or is in the process of committing

any violation of the laws of the state of Missouri, on all lands owned, operated, managed, or leased by the commission, or when such probable cause is established incidental to the enforcement of the laws of the state of Missouri which such agents have been authorized by statute to enforce on all lands not owned, operated, managed, or leased by the commission

4 All authorized agents shall also be declared to be peace officers of the state of Missouri and shall have jurisdiction and may arrest, without warrant or process of any kind, any person who they have probable cause to believe has committed or is in the process of committing a violation of section 569.055, 569.065, 569.067, 569.100, 569.120, 569.140, or 569.150, RSMo, except that no arrest without warrant may be made on any lands not owned, operated, managed or leased by the commission for violations of section 569.100, 569.120, 569.140, or 569.150, RSMo, except upon the complaint of the landowner upon whose land such alleged violation occurred and no arrest may be made without a warrant for the commission of a misdemeanor committed outside the presence of the agent.

5 In addition to the powers prescribed in this section, all persons certified as peace officers in accordance with the provisions of chapter 590, RSMo, and authorized agents of the conservation commission as provided in subsection 1 of this section may arrest on view, and without a warrant, at any place within this state, any person the certified officer or agent sees asserting physical force for the purpose of causing or creating a substantial risk of death or serious injury to any person

Because there is a serious and immediate need for commission agents to enforce all laws of this state, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution and section B of this act shall be in full force and effect upon its passage and approval



*Gary Findlay
Executive Director*

Missouri State Employees' Retirement System

TO: Members, Ad Hoc Task Force on Total Compensation
FROM: Gary Findlay
SUBJECT: Profile of Active and Retired MOSERS' General Plan Participants
DATE: February 23, 1998

The following schedule shows a profile of the average active and retired participants in the MOSERS' general employee plan:

Profile of Average MOSERS' General Plan Participant

	Active	Retired
Average Age at Date of Hire	32.1	41.9
Average Service	9.9	20.0
Average Age	42.0	71.2
Average Age at Retirement	N/A	62.7

Averages may not tell the complete story so schedules and charts have been prepared for your review which illustrate the details. The schedules show totals and averages by department and the charts show composites of the population.

The average present retiree first became a state employee at almost age 42 and worked for the state for approximately 20 years. Some possible explanations for this late entry into the state workforce follow:

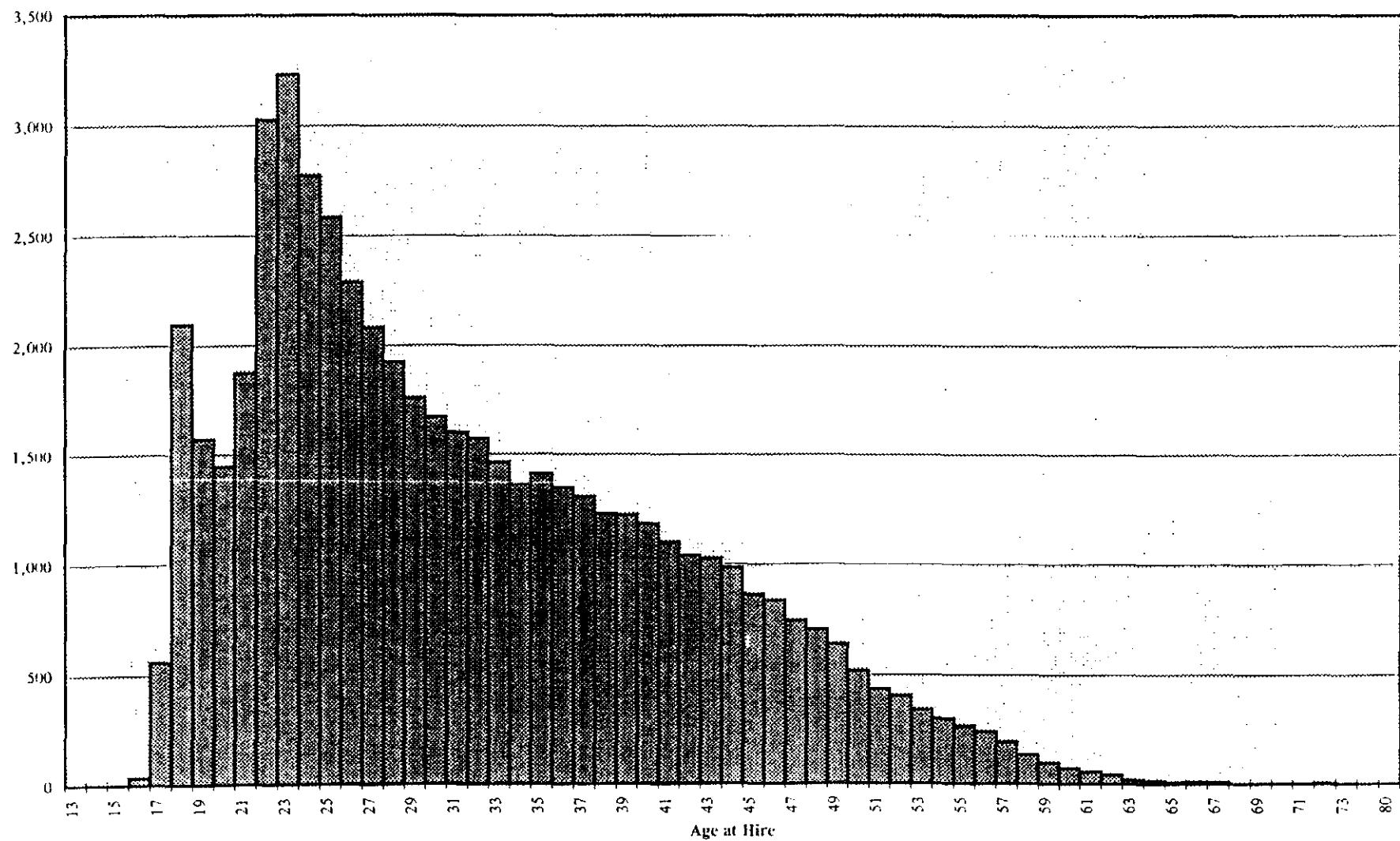
- Younger employees received their training in government and then moved to the private sector.
- Individuals concerned about benefits sought state employment after a career in the private sector or in a local government position.
- State government was successful in attracting older skilled individuals to fill mission critical positions.
- Many women sought state employment after raising their families.

While there are a large number of present employees who entered state service in their late teens or early twenties, the average age at hire for this group, at 32, is still older than might generally be guessed.

Natural questions which follow a review of this data include:

- Is there value in attempting to cause deviations from past and present patterns of employment?
- If the answer to the first question is yes:
 - ◊ What targets are to be pursued?
 - ◊ What will it take in the way of pay, benefits, and work environment to achieve the desired targets?

MOSERS' Active Members by Age at Date of Hire

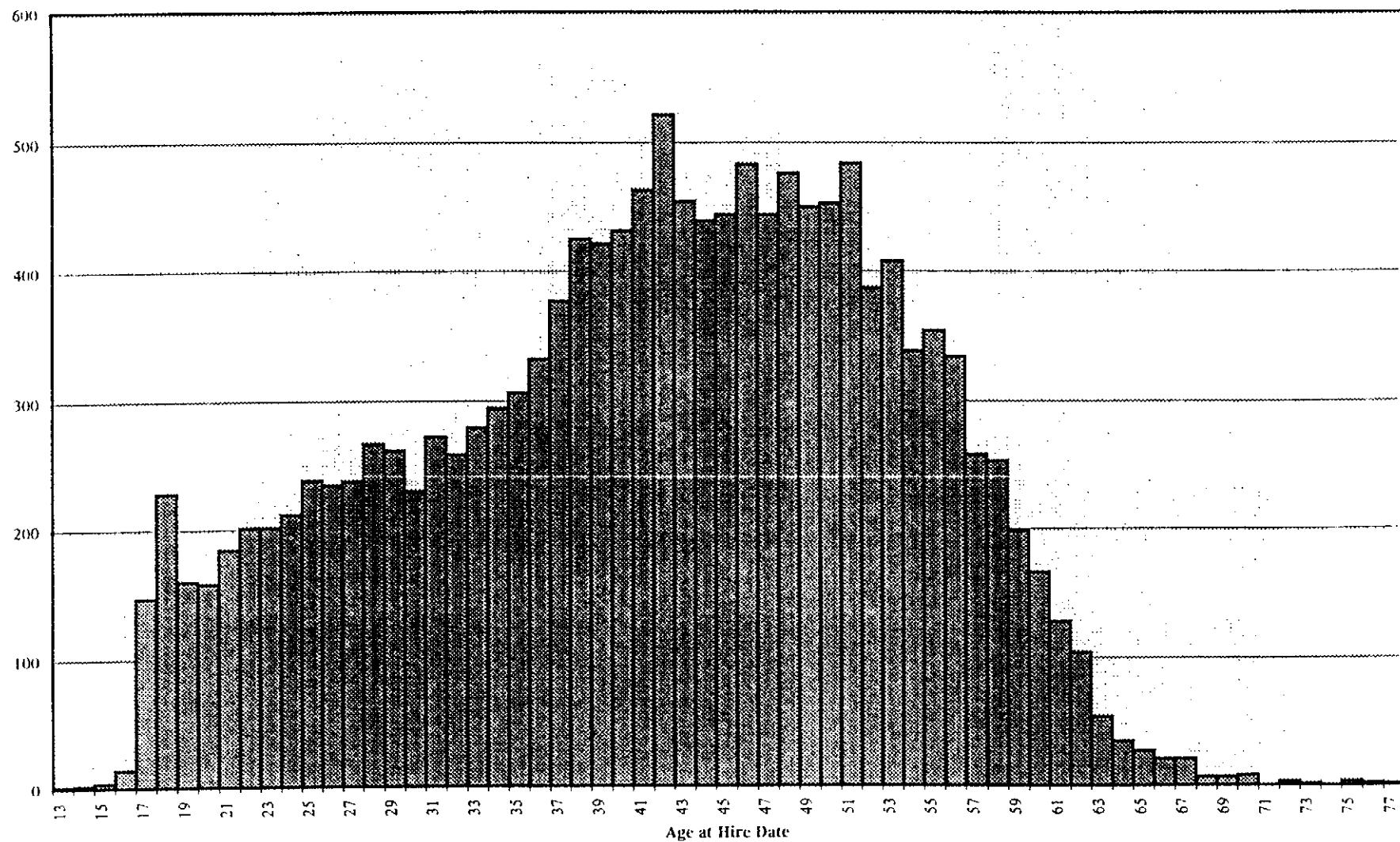


**AVERAGE AGE AT DATE OF HIRE FOR ACTIVE EMPLOYEES
BY DEPARTMENT NUMBER**

DEPT NUMBER	DEPARTMENT NAME	COUNT	SERVICE BEGIN AGE		
			AVERAGE	MINIMUM	MAXIMUM
1	Legislature	496	29.3	16.5	71.1
2	Judiciary	2,632	34.1	17.4	72.9
3	Governor's Office	38	27.7	17.5	52.4
4	Lt. Governor's Office	8	25.9	20.6	34.7
5	Secretary of State	243	31.6	17.1	59.9
6	State Auditor	146	25.3	18.1	49.7
7	State Treasurer	46	28.0	17.9	45.1
8	Attorney General	314	28.8	17.5	56.2
9	Office of Administration	997	29.4	17.2	61.7
10	Agriculture	349	32.1	17.8	66.8
11	Conservation	1,475	29.1	17.3	63.5
12	Economic Development	944	31.3	16.1	65.0
13	Elementary & Secondary Ed.	2,001	32.6	17.4	73.4
14	Higher Education	304	32.1	17.9	61.0
15	Highway & Transportation *	4	29.9	26.7	32.5
16	Labor & Ind. Relations	1,673	29.9	16.7	62.1
17	Mental Health	9,678	30.6	16.2	76.5
18	Natural Resources	1,652	31.4	16.6	68.1
19	Public Safety	1,561	34.4	13.9	72.9
20	Revenue	2,180	29.3	16.9	67.6
21	Social Services	9,243	30.4	16.4	69.1
22	Public Defenders	478	31.2	17.7	67.2
23	Corrections	8,749	33.3	16.6	67.7
24	Health	1,066	31.1	16.9	63.3
26	Insurance	197	31.1	17.2	57.5
48	Linn State Technical	116	41.3	17.7	63.9
49	MCHCP	75	29.7	18.4	52.4
50	MOSERS	55	28.5	16.7	50.0
70	Southwest MO State	1,800	37.3	17.8	72.6
71	Central MO State	1,299	36.9	18.0	69.5
72	Southeast MO State	1,001	36.1	17.8	62.2
73	Truman State Univ.	761	34.4	18.2	61.3
74	Northwest MO State	642	35.4	17.6	80.2
75	MO Southern State	435	38.6	19.1	60.6
76	MO Western State	469	38.3	18.0	66.3
77	Lincoln University	429	35.6	17.7	67.0
78	Harris-Stowe	164	39.3	18.2	65.2
TOTALS		53,720	32.1	13.9	80.2

* In 1980, the Department of Transportation merged with the Highway Department. The Department of Transportation employees elected to remain in MOSERS.

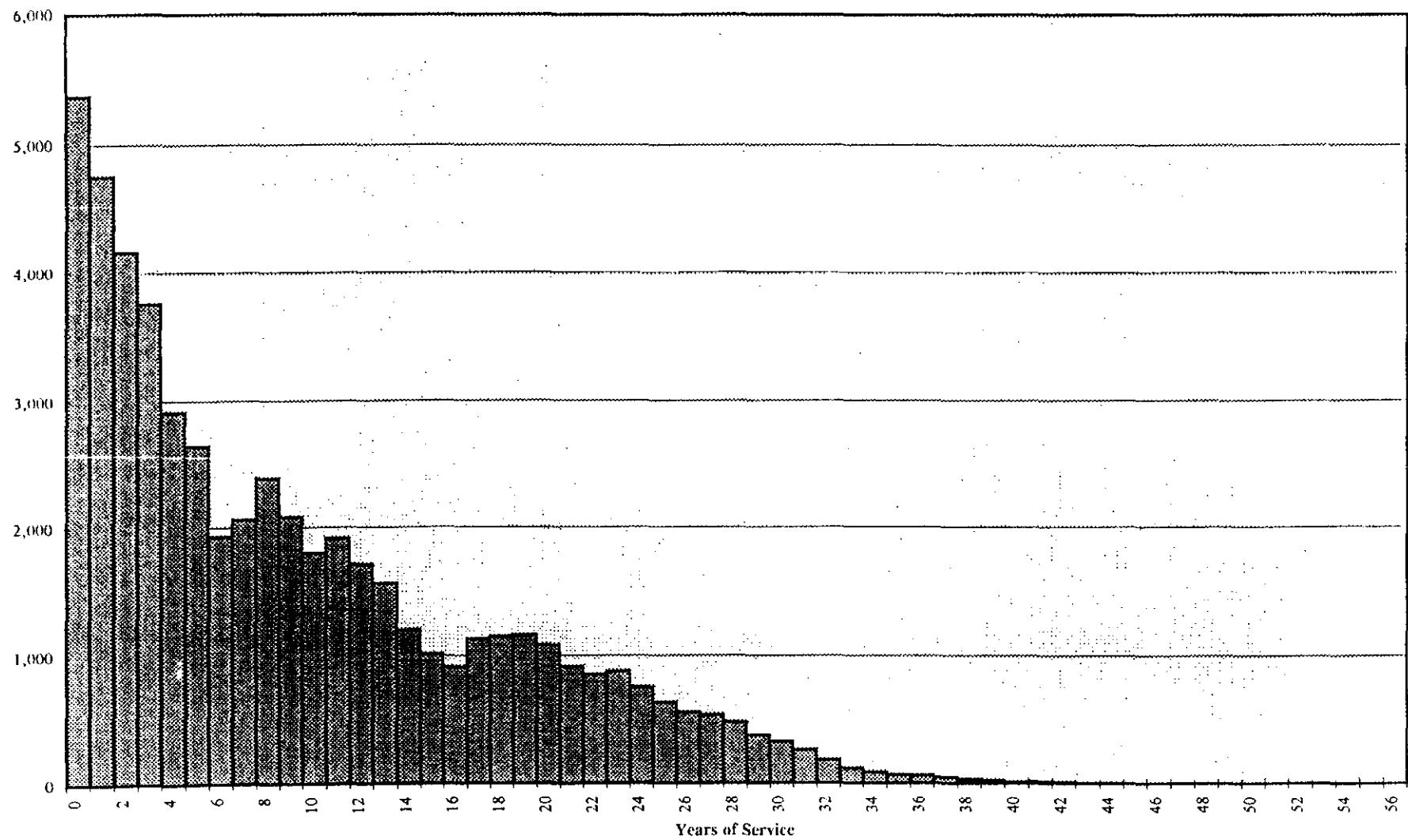
MOSERS' Retirees by Age at Date of Hire



**AVERAGE AGE AT DATE OF HIRE FOR RETIREES
BY DEPARTMENT NUMBER**

DEPT NUMBER	DEPARTMENT NAME	COUNT	SERVICE BEGIN AGE		
			AVERAGE	MINIMUM	MAXIMUM
0	Unknown	4,405	43.3	13.5	72.2
1	Legislature	321	41.0	16.8	77.9
2	Judiciary	643	46.2	18.4	70.7
3	Governor's Office	6	42.7	27.4	61.4
4	Lt. Governor's Office	2	31.1	18.4	43.8
5	Secretary of State	34	42.0	17.7	61.9
6	State Auditor	2	51.8	48.1	55.6
7	State Treasurer	9	30.0	17.0	54.0
8	Attorney General	11	39.2	20.8	58.0
9	Office of Administration	111	38.4	17.5	61.3
10	Agriculture	91	42.1	17.8	62.3
11	Conservation	231	32.3	18.4	61.8
12	Economic Development	146	39.2	17.4	64.6
13	Elementary & Secondary Ed.	307	43.5	17.5	67.2
14	Higher Education	47	35.6	18.1	56.3
16	Labor & Ind. Relations	1,082	38.1	14.2	69.9
17	Mental Health	2,767	39.4	15.8	67.2
18	Natural Resources	140	40.2	16.7	65.0
19	Public Safety	224	41.5	16.9	66.2
20	Revenue	355	42.4	16.8	76.1
21	Social Services	1,289	37.9	17.0	67.7
22	Public Defenders	10	45.0	28.1	61.4
23	Corrections	710	43.5	16.9	72.5
24	Health	337	40.3	14.9	68.6
26	Insurance	15	45.2	18.9	61.9
48	Linn State Technical	4	54.6	29.7	67.0
50	MOSERS	10	30.5	18.2	55.9
70	Southwest MO State	269	49.5	19.2	70.1
71	Central MO State	294	52.8	20.8	70.2
72	Southeast MO State	201	49.2	19.4	70.3
73	Truman State Univ.	147	48.4	17.9	70.5
74	Northwest MO State	115	50.1	18.4	69.2
75	MO Southern State	66	51.4	25.1	66.5
76	MO Western State	78	48.7	16.7	64.3
77	Lincoln University	70	45.7	17.9	70.3
78	Harris-Stowe	5	50.3	22.7	67.2
97	Office of Administration	6	40.4	24.7	57.2
98	Office of Administration	33	52.4	33.7	63.2
99	Office of Administration	6	30.8	17.4	42.3
TOTALS		14,600	41.9	13.5	77.9

Service Credit for Active Employees

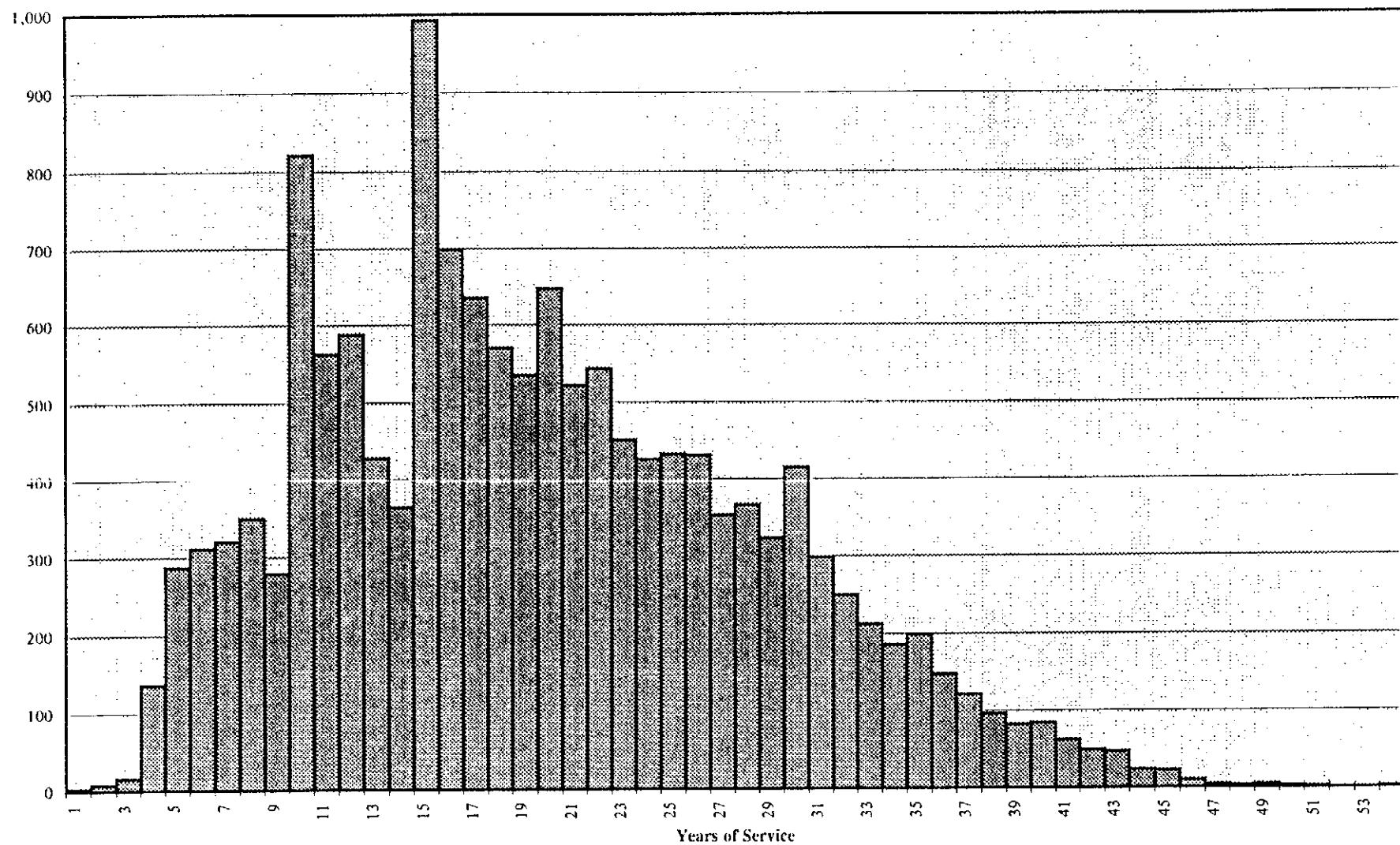


AVERAGE SERVICE CREDIT FOR ACTIVE EMPLOYEES BY DEPARTMENT NUMBER

DEPT NUMBER	DEPARTMENT NAME	COUNT	YEARS OF SERVICE		
			AVERAGE	MINIMUM	MAXIMUM
1	Legislature	496	12.0	0.1	54.6
2	Judiciary	2,632	10.2	0.1	44.8
3	Governor's Office	38	9.1	0.3	29.7
4	Lt. Governor's Office	8	8.0	0.4	25.7
5	Secretary of State	243	9.6	0.2	37.3
6	State Auditor	146	7.5	0.3	30.2
7	State Treasurer	46	7.8	0.1	27.8
8	Attorney General	314	6.7	0.1	32.4
9	Office of Administration	997	11.8	0.2	56.9
10	Agriculture	349	10.9	0.1	39.8
11	Conservation	1,475	13.2	0.3	44.6
12	Economic Development	944	10.3	0.1	42.0
13	Elementary & Secondary Ed.	2,001	9.4	0.1	42.8
14	Higher Education	304	12.7	0.2	37.7
15	Highway & Transportation *	4	22.3	19.6	27.8
16	Labor & Ind. Relations	1,673	16.2	0.2	42.3
17	Mental Health	9,678	10.2	0.0	44.3
18	Natural Resources	1,652	10.3	0.2	42.9
19	Public Safety	1,561	7.8	0.0	43.7
20	Revenue	2,180	10.8	0.1	38.6
21	Social Services	9,243	10.5	0.0	49.2
22	Public Defenders	478	5.7	0.2	29.0
23	Corrections	8,749	6.8	0.0	47.3
24	Health	1,066	11.6	0.1	46.4
26	Insurance	197	8.6	0.3	28.4
48	Linn State Technical	116	7.0	0.2	29.6
49	MCHCP	75	5.6	0.4	19.8
50	MOSERS	55	9.0	0.1	37.6
70	Southwest MO State	1,800	10.2	0.1	40.4
71	Central MO State	1,299	10.0	0.2	39.4
72	Southeast MO State	1,001	10.6	0.2	37.6
73	Truman State Univ.	761	9.4	0.2	41.7
74	Northwest MO State	642	10.0	0.1	37.6
75	MO Southern State	435	10.4	0.1	34.5
76	MO Western State	469	9.5	0.1	33.4
77	Lincoln University	429	10.5	0.2	40.4
78	Harris-Stowe	164	7.8	0.3	31.4
TOTALS		53,720	9.9	0.0	56.9

* In 1980, the Department of Transportation merged with the Highway Department. The Department of Transportation employees elected to remain in MOSERS.

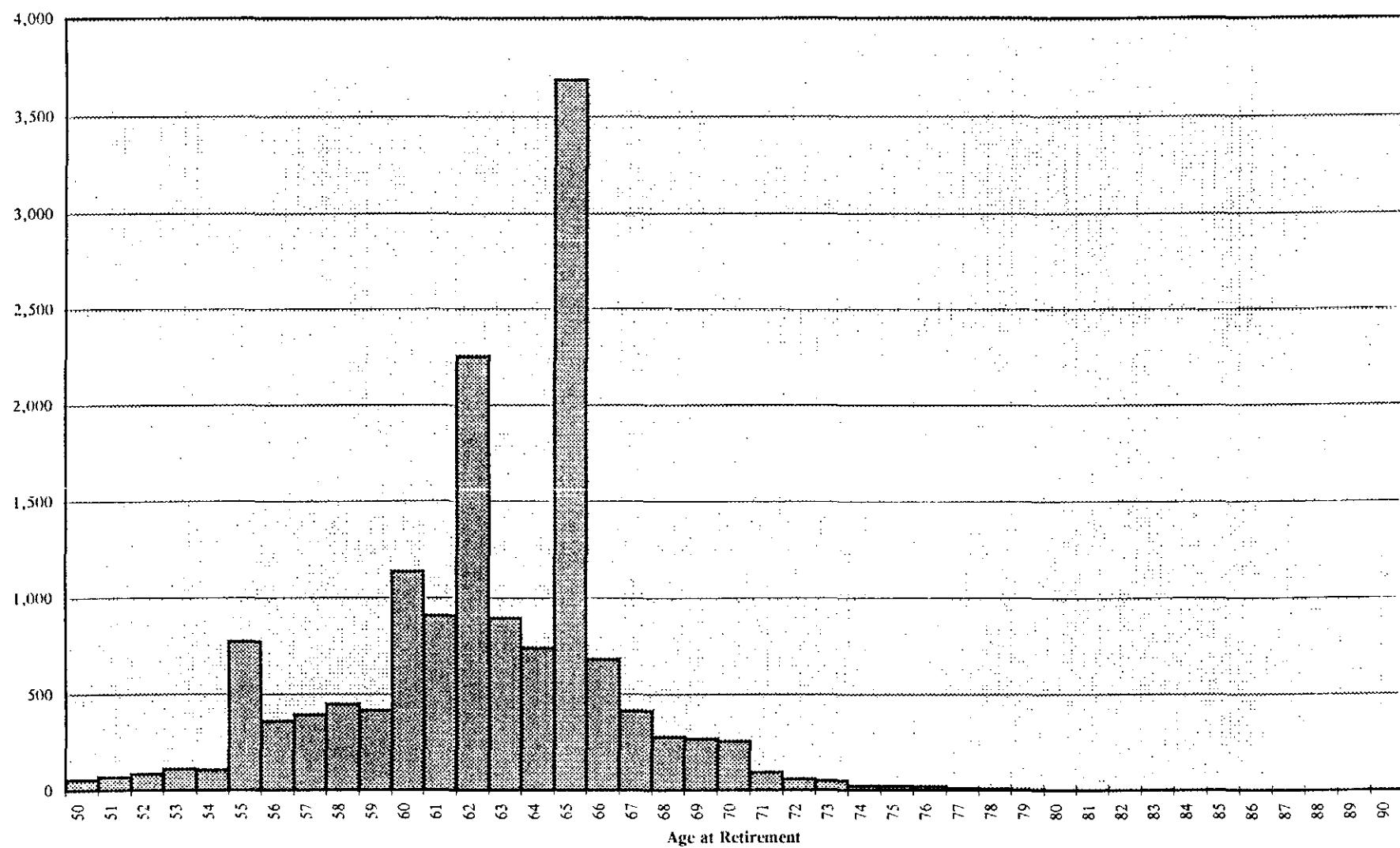
MOSERS' Retirees by Years of Service at Retirement



AVERAGE SERVICE AT RETIREMENT BY DEPARTMENT NUMBER

DEPT NUMBER	DEPARTMENT NAME	COUNT	YEARS OF SERVICE		
			AVERAGE	MINIMUM	MAXIMUM
0	Unknown	4,471	17.5	2.6	46.3
1	Legislature	321	15.5	3.5	40.1
2	Judiciary	654	18.0	1.0	42.5
3	Governor's Office	4	13.0	4.3	25.6
4	Lt. Governor's Office	2	20.0	18.9	21.0
5	Secretary of State	35	18.7	4.5	35.8
6	State Auditor	2	16.2	10.2	22.3
7	State Treasurer	9	33.2	6.6	46.8
8	Attorney General	11	20.3	6.5	28.8
9	Office of Administration	112	22.8	4.1	47.2
10	Agriculture	92	20.8	4.2	40.0
11	Conservation	234	30.1	5.3	47.2
12	Economic Development	149	21.1	4.0	41.0
13	Elementary & Secondary Ed.	306	19.9	4.0	44.2
14	Higher Education	42	23.2	6.1	43.1
16	Labor & Ind. Relations	997	24.0	2.2	54.8
17	Mental Health	2,752	20.9	4.0	44.0
18	Natural Resources	132	20.8	5.0	46.2
19	Public Safety	222	19.5	4.3	43.6
20	Revenue	365	19.3	4.0	45.3
21	Social Services	1,308	22.5	4.0	51.5
22	Public Defenders	10	18.6	6.2	36.1
23	Corrections	702	17.9	4.0	48.8
24	Health	363	21.0	4.0	50.4
26	Insurance	15	15.4	4.1	28.2
48	Linn State Technical	4	18.7	11.0	24.9
50	MOSERS	10	27.3	9.3	49.6
70	Southwest MO State	266	21.6	4.3	43.6
71	Central MO State	289	21.3	4.5	43.7
72	Southeast MO State	199	21.8	4.5	42.5
73	Truman State Univ.	146	23.4	5.2	40.3
74	Northwest MO State	115	21.0	4.0	38.0
75	MO Southern State	66	19.2	4.0	32.9
76	MO Western State	72	17.4	5.7	32.7
77	Lincoln University	70	23.7	7.9	49.3
78	Harris-Stowe	5	18.1	8.0	28.7
96	Office of Administration	1	22.0	22.0	22.0
97	Office of Administration	7	20.8	7.6	35.7
98	Office of Administration	33	10.5	5.3	25.6
99	Office of Administration	7	29.8	21.8	38.1
TOTALS		14,600	19.9	1.0	54.8

Age at Retirement for MOSERS' Retirees



AVERAGE AGE AT RETIREMENT BY DEPARTMENT NUMBER

DEPT NUMBER	DEPARTMENT NAME	COUNT	AGE IN YEARS		
			AVERAGE	MINIMUM	MAXIMUM
0	Unknown	4,406	63	50	85
1	Legislature	321	62	50	90
2	Judiciary	643	65	53	79
3	Governor's Office	6	62	55	65
4	Lt. Governor's Office	2	59	56	62
5	Secretary of State	34	63	54	76
6	State Auditor	2	66	65	67
7	State Treasurer	9	63	56	69
8	Attorney General	11	61	55	68
9	Office of Administration	111	62	51	76
10	Agriculture	91	64	55	76
11	Conservation	231	61	50	72
12	Economic Development	146	62	50	78
13	Elementary & Secondary Ed.	307	63	51	75
14	Higher Education	47	60	50	77
16	Labor & Ind. Relations	1,082	63	50	80
17	Mental Health	2,767	62	50	78
18	Natural Resources	140	62	50	75
19	Public Safety	224	63	50	77
20	Revenue	355	63	50	83
21	Social Services	1,289	62	50	81
22	Public Defenders	10	62	55	67
23	Corrections	710	62	50	86
24	Health	337	63	50	73
26	Insurance	15	63	55	71
48	Linn State Technical	4	62	56	66
50	MOSERS	10	61	50	66
70	Southwest MO State	269	63	51	73
71	Central MO State	294	63	55	74
72	Southeast MO State	201	62	53	71
73	Truman State Univ.	147	62	53	76
74	Northwest MO State	115	62	55	69
75	MO Southern State	66	63	52	74
76	MO Western State	78	64	52	75
77	Lincoln University	70	65	50	77
78	Harris-Stowe	5	62	55	67
97	Office of Administration	6	60	50	65
98	Office of Administration	33	64	57	73
99	Office of Administration	6	59	55	65
TOTALS		14,600	63	50	90

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE CURRENT AGE FOR ACTIVE EMPLOYEES

AS OF 12-31-97

DEPARTMENT NAME	COUNT	CURRENT AGE		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	6,342	42.2274	19.3182	73.9931
Patrol - Non-Uniformed	1,078	42.1782	18.2833	69.3552
Patrol - Uniformed	1,080	36.8727	21.7850	59.3675
TOTALS	8,500	41.5405	18.2833	73.9931

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE ENTRY AGE FOR ACTIVE EMPLOYEES

AS OF 12-31-97

DEPARTMENT NAME	COUNT	CURRENT AGE		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	6,342	28.1892	16.5667	70.2313
Patrol - Non-Uniformed	1,078	29.4931	17.3059	61.0951
Patrol - Uniformed	1,080	24.8935	17.7631	43.5619
TOTALS	8,500	27.9358	16.5667	43.5619

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE CURRENT SERVICE FOR ACTIVE EMPLOYEES

AS OF 12-31-97

DEPARTMENT NAME	COUNT	YEARS OF SERVICE		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	6,342	13.2305	0.0054	45.3689
Patrol - Non-Uniformed	1,078	11.5776	0.0438	40.3039
Patrol - Uniformed	1,080	11.5945	0.5010	35.7508

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE AGE AT RETIREMENT

AS OF 12-31-97

DEPARTMENT NAME	COUNT	AGE IN YEARS		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	2,795	61	50	73
Patrol - Non-Uniformed	291	61	50	69
Patrol - Uniformed	413	56	50	64
TOTALS	3,499	60	50	73

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE AGE ON SERVICE START DATE FOR RETIREES

AS OF 12-31-97

DEPARTMENT NAME	COUNT	SERVICE BEGIN AGE		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	2,795	29.0714	16.7720	60.2984
Patrol - Non-Uniformed	291	33.0213	17.3634	63.0061
Patrol - Uniformed	413	23.8482	17.5030	32.9856
TOTALS	3,499	28.7834	16.7720	63.0061

HIGHWAY AND TRANSPORTATION EMPLOYEES' AND
HIGHWAY PATROL RETIREMENT SYSTEM

AVERAGE SERVICE AT RETIREMENT

AS OF 12-31-97

DEPARTMENT NAME	COUNT	YEARS OF SERVICE		
		AVERAGE	MINIMUM	MAXIMUM
MoDOT	2, 795	30.1821	1.1006	49.4127
Patrol - Non-Uniformed	291	27.3326	3.2443	45.0978
Patrol - Uniformed	413	32.2485	20.0000	39.8822
TOTALS	3,499	30.1890	1.1006	39.8822

Highway and Transportation Employees' and Highway Patrol RETIREMENT SYSTEM

Norm Robinson, Executive Director

February 2, 1998

Mr. Gary Kempker, Director
Department of Public Safety
P. O. Box 749
Jefferson City, MO 65102

Dear Gary:

You will recall discussion at our recent Public Safety Retirement Advisory Commission meeting in regard to the number of employees killed in the line of duty. Mr. Ron Larkin had suggested we obtain statistics on this issue.

I have obtained the attached data from the Missouri Department of Transportation (MoDOT) and the Missouri State Highway Patrol (Patrol) officials. You will note the Patrol data dates back to 1933. The MoDOT data dates back to 1946. Incidentally, MoDOT employees became covered by Workers' Compensation on September 1, 1945.

I am also sending a copy of this material to Ms. Vickie Huttinger to be included with the agenda material for our next meeting.

Please call me if you have any questions regarding this data.

Sincerely,



Norm Robinson
Executive Director

mj
j:dr\lineduty.sam
Attachments
Copy: "Ms. Vicki Huttinger, OA"

MISSOURI STATE HIGHWAY PATROLMEN
KILLED IN THE LINE OF DUTY

- 1) SERGEANT BENJAMIN O. BOOTH (#13), 35, was the first Missouri Highway Patrolman to be killed in the line of duty. Sgt. Booth was fatally shot June 14, 1933, at a roadblock in Columbia, MO, after he and Boone County Sheriff Roger Wilson stopped two persons suspected of a Mexico, MO, bank robbery. Wilson also was killed. (Troop F)
- 2) TROOPER FRED L. WALKER (#126), 33, was shot to death Dec. 3, 1941, near Ste. Genevieve as he was trying to arrest two subjects for car theft. The subjects were later apprehended and sentenced to 99 years. (Troop C)
- 3) TROOPER VICTOR O. DOSING (#22), 34, was shot and killed in the line of duty Dec. 7, 1941, one mile south of Galloway on U.S. 65 while attempting to question a murder suspect. (Troop D)
- 4) TROOPER CHARLES P. CORBIN (#99), 26, was killed in a traffic accident Sept. 15, 1943, on U.S. 71 in Jasper County when his Patrol vehicle was struck by a tractor-trailer traveling on the wrong side of the road. (Troop D)
- 5) TROOPER ROSS S. CREACH (#58), 24, was killed Dec. 12, 1943, when he was struck by a drunk driver on U.S. 36 in Shelby County. Tpr. Creach was directing traffic at an accident scene. (Troop B)
- 6) TROOPER JOHN N. GREIM (#148), 32, was killed July 13, 1945, in a plane crash near Corning, AR, while searching for some fugitives. (Troop E)
- 7) TROOPER WAYNE W. ALLMAN (#97), 34, was fatally injured in an automobile accident Oct. 27, 1955. In the accident, Tpr. Allman was thrown from his vehicle. Although seat belts were not standard equipment in automobiles at this time, the decision was made to install them in all Patrol cars before the end of the year. (Troop A)
- 8) TROOPER JESSE R. JENKINS (#474), 29, was killed in the line of duty Oct. 14, 1969. Jenkins was shot to death by Robert Melvin Thomas in an exchange of gunfire in the Montgomery County Sheriff's Office. Thomas died from a bullet wound inflicted by Tpr. Jenkins. (Troop F)
- 9) TROOPER GARY W. SNODGRASS (#732), 24, was killed on duty in an automobile accident Feb. 21, 1970, on Highway 32, seven miles east of Salem. (Troop I)
- 10) TROOPER WILLIAM R. BRANDT (#195), 23, was killed June 12, 1970, when a tornado-like wind blew his Patrol vehicle off the road into a concrete bridge abutment on Highway 36. Brandt had been on storm watch alert in the Macon, MO, area when the incident occurred. (Troop B)
- 11) TROOPER DENNIS MARRIOTT (#804), 36, died June 13, 1981, from injuries received June 1 when he was struck by an automobile while on a traffic stop on U.S. 54 south of Jefferson City, MO. (Troop F)

MISSOURI HIGHWAY PATROLMEN KILLED IN THE LINE OF DUTY - page 2

- 12) TROOPER JAMES M. FROEMSDORF (#261), 35, was shot and killed in the line of duty March 2, 1985. The incident occurred on Interstate 55 in Perry County during a traffic stop. (Troop C)
- 13) TROOPER JIMMIE E. LINEGAR (#865), 31, was shot and killed while conducting a spot check near Intersection of U.S. 65 and MO 86 April 15, 1985. He was unaware the man stopped for a license check had just been indicted by a Federal Grand Jury for involvement in a Neo-Nazi group accused of murder. (Troop D)
- 14) TROOPER RUSSELL W. HARPER (#670), 45, was shot and killed Feb. 8, 1987, after he pulled over a pickup truck east of U.S. 65 and 60 near Farm Route 189 for a traffic violation. Before Harper could stop his Patrol car off the roadway, a man emerged from the truck and fired several rounds through the Patrol car's windshield. (Troop D)
- 15) CORPORAL HENRY C. BRUNS (#169), 41, was killed in a traffic crash Feb. 16, 1987, on MO Highway 6 in Buchanan County when the vehicle in which he was a passenger skidded on the ice-covered road, striking a bridge abutment on the passenger side. (Troop H)
- 16) TROOPER ROBERT J. KOLILIS (#353), 24, died Sept. 21, 1988, as a result of injuries sustained when he was struck by a pickup truck on Highway M in Washington County. Tpr. Kolilis was standing near the center of the highway when he was hit by the pickup. The trooper had stopped to inquire why one of two vehicles was parked partially on the highway. (Troop C)
- 17) CORPORAL MICHAEL E. WEBSTER (#473), 33, died Oct. 2, 1993, from injuries he suffered when he was struck by a drunk driver on U.S. 40 in Blue Springs, MO. Cpl. Webster was performing a routine traffic stop when an intoxicated driver lost control of his vehicle striking Webster's Patrol car and the car he had stopped before striking Webster. (Troop A)
- 18) SERGEANT RANDY V. SULLIVAN (#821), 40, was killed in a traffic crash Feb. 17, 1996, on MO 72 in Madison County, eight miles west of Fredericktown, MO. The crash occurred when Sgt. Sullivan checked a speeding vehicle by radar, turned around to overtake the violator, and, as he came over a hill, apparently ran off the roadway in a curve and struck several trees. Troopers responding to the scene found Sullivan's Patrol car engulfed in flames; Sullivan's body was located in the car. Patrol Recruit Christopher R. Thomas, who was riding with Sullivan, was found outside the vehicle; he sustained moderate injuries. (Troop E)

MoDOT FATALITIES

113	Licklider, Larry C.	6	JCHTW97I-0804	ICI	29 yrs.	08/25/97	51	Employee struck by vehicle when crossing the roadway in a work zone.
112	Rogers, Charles	8	JCHTW97I-0785	RMS	23 yrs.	08/21/97	44	Employee fell from rock ledge.
111	Miller, William D.	3	JCHTW97I-0710	SMW	3 mos.	07/30/97	32	Employee was working in work zone pouring sealant on a bridge patch when he was struck by a vehicle.
110	Walker, Arthur C. Jr.	7	JCHTW97I-0635	SMW	3 mo.	07/11/97	32	Employee was working in work zone preparing to install a permanent road sign when he was struck by a vehicle.
109	Graham, Nicole	6	JCHTW97I-0367	CW	9 1/2 mo.	04/14/97	24	While operating roller for shoulder repair, roller overturned. Employee was crushed by rollover canopy. Employee not wearing seatbelt. Accident occurred in a work zone.
108	Wieda, William	6	JCHTW95I-0109	MAS	31 yrs.	02/06/98	55	While checking pavement for patching, employee was backed over by MHTD truck. Truck's back-up alarm was activated. Accident occurred in a work zone.
107	Hayes, Denis R.	9	JCHTW95I-1001	Dist CE	11 yrs.	09/14/95	34	While rescuing a woman from her car in a pond, employee was pinned under the car and drowned.
106	Pfeiffer, George F.	2	JCHTW94I-0882	MCL	21 yrs.	08/26/94	55	Employee hit by car while on tractor. Thrown off tractor and pinned under ROP. Employee apparently not wearing seatbelt.
105	Smith, Jon W.	6	JCHTW93I-0780	MCL	2 yrs.	08/01/93	34	Employee hit by intoxicated driver while changing tire during floor control.
104	Coleman, Gregory D.	PI	JCHTW93I-0091	FI Stat	6 yrs.	02/05/93	31	Hit head-on by a car while traveling to Willow Springs for traffic count.
103	Mirts, Thomas C.	5	JCHTW91I-1127	MW	11 yrs.	11/06/91	63	Employee was working snow removal, came back to maintenance building and had heart attack.

DESCRIPTION OF ACCIDENT							
NAME	LOCATION	AGE	SEX	GRADE	TIME	DATE	CAUSE
102 Ellinton, Preston R.	8	JCHTW91I-0409	MW	12 yrs.	04/18/91	34	Employee was injured in a work zone when struck by a car and thrown against a motorgrader (06/14/90). Employee was in a coma until his death.
101 Minton, James W.	7	JCHTW91I-0122	M&T Eng	28 yrs.	02/21/91	52	Employee was fatally injured in an explosion while attending the Highway Engineers' Convention at the Lodge of the Four Seasons. Propane gas explosion killed Mr. Minton and injured 28 other employees who were attending the convention (02/14/91).
100 Farrenburg, Garry L.	10	JCHTW90I-0794	MW	2 mo.	10/11/90	37	Oncoming truck hit a backup truck then impacted the distributor truck fatally injuring employee who was riding a sulky filling cracks with asphalt.
99 Anderson, Howard K.	4	JCHTW90I-0168	MCL	37 yrs.	03/16/90	55	Employee was fatally injured while cleaning a roto-mill drum. Employee was caught in machine and killed instantly.
98 Harris, Melvin J.	4	JCHTW90I-0067	Fld Mech	13 yrs.	02/22/90	55	Employee's arm was amputated by flying fan blade of vehicle he was repairing (02/01/90). On 02/22/90 suffered fatal heart attack from trauma of injury.
97 Whited, George A.	9	HTWC189-00707	Svy Pty Chf	35 yrs.	08/29/89	59	Employee was fatally injured in a work zone when he stepped in front of a passing car.
96 Caldwell, Wm. J. Jr.	4	HTWC189-00525	SMW	3 mo.	07/18/89	52	Struck by vehicle that knocked him into wheel saw and was then struck by the car again.
95 Feth, Adolph Emil	6	HTWC188-00705	MCL	15 yrs.	09/28/88	48	Employee was struck by car when crossing traffic lane on bridge.
94 Lindsey, Donna L.	3	HTWC188-00546	SMW	1 yr.	08/08/88	40	Lost control of truck causing it to overturn.

NAME	AGE	POSITION	EMPLOYEE NUMBER	GRADE	EMPLOYED DATES	AGE	DESCRIPTION OF ACCIDENT
93 Carr, Wm. Allen	6	HTWCI88-00301	MW	4 yrs.	05/13/88	44	Struck by motorcycle while putting sign on truck.
92 O'Neal, Wendal Ray	1	HTWCI88-00073	Insp Asst	12 yrs.	02/08/88	52	Installing insulation on chord of building truss. Stepped or fell off scaffolding.
91 Washam, Temy Lynn	7	HTWCI87-00854	MCL	10 yrs.	10/21/87	32	Concrete patching; run over by charter bus.
90 Munsterman, Randy J.	2	HTWCI87-00260	MW	2 yrs.	04/20/87	25	Semi-trailer truck failed to see crew that had been washing bridge.
89 Graves, Larry E.	2	HTWCI87-00258	MW	8 yrs.	04/20/87	40	Semi-trailer truck failed to see crew that had been washing bridge.
88 Walther, James R.	PI	HTWCI87-00216	Tr Recorder	33 yrs.	04/02/87	62	Employee left Jefferson City approximately 10:00 a.m. going to check a recorder at Van Buren, MO. He probably stopped at the Fremont rest area and there was assaulted and killed.
87 Young, Everett S.	6	26998	MW	19 da.	08/19/86	35	Truck ran off the edge of the pavement and overturned.
86 Aydt, Robert R.	6	25074	MW	8 yrs.	11/21/83	27	Struck by truck.
85 Nail, Randy	6	22967	MW	2 mo.	09/04/80	27	Struck by car.
84 DeNatale, Charles	6	22587	Svy Rodman	3 yrs.	03/11/80	27	Struck by car on shoulder.
83 Stiem, Gerald F.	6	22586	Svy Inst	22 yrs.	03/11/80	42	Struck by car on shoulder.
82 Johnson, Calvin U. Jr.	4	22010	MW	1 yr.	06/27/79	24	Johnson was in the cab of a state truck which was hit by another truck.
81 George, Eugene	6	21757	MAS	22 yrs.	02/28/79	63	Hit head-on by car.
80 Hughes, Joseph	1	21657	MCL	28 yrs.	01/13/79	57	Windshield on motorgrader evidently was frosted up and employee leaned out door, fell out, and was run over by motorgrader.
79 Shields, Craig	4	21444	MW	7 mo.	09/19/78	18	Striping nurse truck was stopped behind stripper when hit by a tractor-trailer rig. Employee burned to death when paint burned.
78 Kirby, Gary Dean	4	21409	MW	3 yrs.	09/07/78	21	Employee was run over by MHTD truck which was backing up on shoulder.

DETAILED DESCRIPTION OF ACCIDENT								
NUMBER	EMPLOYEE	AGE	WORKER'S COMP. #	EMPLOYER	TIME OF INJURY	DATE OF INJURY	DESCRIPTION	
77	Stretch, Otis N.	1	20988	MCL	11 yrs.	02/14/78	50	Hit by train in motorgrader. Signal lights for crossing were on.
76	Snuffer, Thomas	1	19945	MCL	14 yrs.	09/13/76	49	Mowing right of way, turned tractor over.
75	Lene, Elmer Leon	2	19887	MCL	14 yrs.	08/19/76	49	Serviceman in district garage killed when van fell off lift and crushed him.
74	Jones, Wesley	7	19058	MW	22 yrs.	07/22/75	57	Mower overturned.
73	Carmichael, James	3	19033	SMW	2 1/2 mo.	07/18/75	18	Mower overturned.
72	Schrum, Hueston	6	19031	MCL	19 yrs.	07/14/75	56	Large chunk of material fell from loader bucket and crushed employee in cab.
71	Capps, Otis H.	8	18997	MCL	19 yrs.	06/30/75	56	Hit by car on ramp when he started across ramp to stop state truck which was rolling.
70	Tynes, Russell E.	EP	18885	FM	26 yrs.	05/22/75	57	Field mechanic was pinned between vehicle and drive door of building.
69	Bullock, Everett	8	18697	MCL	18 yrs.	02/18/75	53	Struck by rear wheel and axle which had come off passing pickup truck.
68	Embry, Jos E.	7	19309	MW	7 yrs.	12/13/74	61	Heart attack while working rest area.
67	Evans, Dennis C.	10	18560	MW	12 yrs.	10/30/74	32	While moving paint barrel on dolly, barrel slipped off and dolly handle hit employee in lower stomach area.
66	Taylor, Daniel	4	18499	Cnst Insp	17 yrs.	10/21/74	67	Hit by truck while crossing road.
65	Ramsey, Ivan	1	18263	MW	5 yrs.	08/09/74	25	Mowing right of way, turned tractor over.
64	Menard, Pete	8	17985	Sr. Cnst Insp	8 yrs.	02/25/74	57	Collided head-on with another vehicle while passing.
63	Limbocker, Devere	4	17613	MW	2 yrs.	08/24/73	36	Mower overturned.
62	Barks, Perry	6	17483	MW	1 yr.	08/07/73	53	Front end loader struck by tractor trailer unit.
61	Simon, Leonard J.	6	17483	SMW	2 mo.	07/16/73	18	Struck by car when picking up litter.
60	Cook, David W.	6	17339	MW	2 yrs.	07/01/73	23	Changing blades on rotary mower when it fell on him. Accident occurred on May 22; he died July 2 while in surgery for injuries relating to accident.

NUMBER	NAME	AGE	GRADE	EMPLOYER	POSITION	TIME	DATE	EXPOSURE	DESCRIPTION OF ACCIDENT
59	Ingels, Clarence	1	17339	MW	4 yrs.	06/21/73	60		Scooping mix out of state truck when another state truck rolled backwards and crushed him.
58	Heyer, Ray Edward	4	16181	MW	4 yrs.	10/13/71	27		Flagman was hit by tractor-trailer unit that did not react to sign.
57	Roberts, Lawton	1	16089	MW	14 yrs.	09/04/71	53		Passenger in a state truck which collided with tractor-trailer unit on bridge.
56	Leake, Danny	3	15712	MW	2 yrs.	04/13/71	20		On motorcycle and returning to building from checking gravel when he was hit by passing car which pulled in front of employee.
55	Mitchell, Sidney M.	3	25612	MW	2 yrs.	02/03/71	20		While turning around on snow and ice control, he was hit by tractor-trailer unit.
54	Slimmers, Harry	4	15463	MW	4 yrs.	11/06/70	50		Struck by truck while flagging.
53	Lewis, Marvin Lee	6	14681	MW	4 1/2 mo.	01/28/70	30		Truck was struck by tractor-trailer.
52	Wyatt, Donald	1	14693	MCL	1 yr.	10/08/69	39		Mower overturned, pinned under wheel and fender.
51	Essary, LeFate	5	12951	MW	12 yrs.	12/20/68	60		Hit by truck while working on roadway
50	Trowbridge, Frederick	5	14121	MW	5 yrs.	12/20/68	43		Hit by truck while working on roadway
49	Bratton, Homer L.	10	14022	Cnst Insp	13 yrs.	10/25/68	38		Contractor's vehicle struck employee.
48	Tanner, Hurshal	10	13753	MW	16 yrs.	07/10/68	53		Walked onto pavement in front of car.
47	Chambers, Berle R.	4	13694	MW	1 yr.	06/05/68	45		Mowing around bridge end, mower slipped on drain pipe and overturned.
46	Schwartz, James A.	Hdq	13608	Br CM	5 mo.	05/07/68	21		Moving scaffold; wind blew him into oncoming traffic.
45	Adkison, Claude	1	13594	MW	10 yrs.	04/25/68	47		Truck was struck from rear; employee thrown out.
44	Reckentin, Robert	6	12951	MW	2 yrs.	05/25/67	20		Run over by rotary mower.
43	Cambell, James	8	11761	Cnst Insp	10 yrs.	10/06/65	34		Backed over by asphalt truck.
42	Hasbrouck, Kenneth	1	11727	MW	1 yr.	09/21/65	21		Standing in median, hit by truck.
41	Holt, Paul C.	8	11624	MW	10 yrs.	08/03/65	62		Mower tipped over, pinned underneath.
40	Mullins, Curtis J.	9	11531	MW	9 yrs.	07/09/65	45		Left wheel of mower dropped off headwall, mower turned over on employee.

39	Murphy, Roy E.	1	11143	Mnt Foreman	18 yrs.	01/05/65	40	Head-on collision with another car.
38	Moseley, William D.	5	11104	MAS	14 yrs.	12/08/64	43	Riding in car; struck head-on by tractor-trailer.
37	Suggs, Ellis	9	10895	MW	8 yrs.	09/03/64	53	Employee swerved truck to avoid cow, lost control, rolled truck.
36	Schilb, Charles	5	10756	Seas.	6 mo.	07/31/64	19	Lost control, turned over truck.
35	Atchley, Paul	8	10402	MW	13 yrs.	07/31/84	59	Doing patch work, run over by car traveling at excessive speed; proper signs were in place.
34	Grayson, Myrl	8	10401	MW	1 yr.	07/31/64	23	Doing patch work, run over by car traveling at excessive speed; proper signs were in place.
33	Foster, Clarence	4	10093	MW	6 yrs.	08/20/63	51	Tractor-trailer hit mower.
32	Saunders, Joseph	4	9238	MW	2 mo.	07/23/62	21	Mowing backslope, became too steep, tried to back up and turned over.
31	Brannock, James R.	10	8780	Svy Crew	30 yrs.	10/18/61	51	Thrown from wrecked car.
30	Baker, E. E.	2	8202	Cnst Insp	35 yrs.	10/29/60	65	Blacked out, hit parked car.
29	Wohlemuth, Henry	4	8052	MW	1 yr.	09/02/60	43	Mowing, tractor hit a hidden wash or loose dirt; tractor overturned down an embankment.
28	Houston, Joe W.	2	7589	MW	2 yrs.	11/05/59	55	Struck on head by log while removing drift from river.
27	Jefferson, Cecil H.	Hdq	7525	Br MW	4 yrs.	10/19/59	22	Working with repair crew; electrocuted.
26	Glen, James H.	5	7283	RE	33 yrs.	08/24/59	56	Car he was driving was hit by truck.
25	Hall, Wayne	5	7067	Ex Lbr	4 mo.	02/13/58	21	Employee lost control of truck; overturned.
24	Mather, John R.	4	6912	Insp	1 yr.	10/30/58	22	Resurfacing bridge floor; run over by asphalt truck.
23	Passley, William	7	6801	Insp 1	1 yr.	09/04/58	22	Struck by car.
22	Rhoad, Cleo	9	6152	Eq Opr	1 yr.	02/18/58	57	Caught between descending dump bed and frame of truck.
21	Cudworth, Irvin C.	9	6152	MW	11 yrs.	10/27/57	55	Pinned between front end of motorgrader and truck.
20	Doyle, Elyod	2	6201	Insp	4 yrs.	10/10/57	52	Run over by motorgrader.

ROW	NAME	NUMBER	LOCATION	INCIDENT	CASE NO.	JOBSITE	SERVICE	END DATE	AGE	DEATH DATE	DESCRIPTION	ACCIDENT
19	Underwood, Silas	10	5538	Eq Opr	1.5 yrs.	09/05/56	41				Found dead by motorgrader. Evidently fell.	
18	Land, Lloyd M.	1	5337	RE	28 yrs.	08/19/58	54				Standing on shoulder of highway; struck by car.	
17	Robertson, Roy A.	6	5406	MW	25 yrs.	04/20/58	56				Tractor-mower struck by truck.	
16	Barnes, Wilbut	5	4866	Eq Opr	1 yr.	08/18/55	24				Operating front-end loader which overturned.	
15	Goode, Archie	10	4829	Ex Lbr	6 yrs.	04/07/55	62				Struck by car while cleaning and painting signs.	
14	Resch, Roland	6	4374	Eq Opr	7 mo	08/26/54	23				Operating 5-ton roller which overturned.	
13	Gordon, Arthur	6	4358	MW	25 yrs.	08/17/54	52				Operating tailgate of dump truck when he fell from truck.	
12	Walker, William	2	4234	Ex Lbr	1 yr.	06/12/54	38				Mowing on steep backslope; tractor-mower overturned.	
11	Ehmann, Theodore	6	3696	Ex Lbr	6 yrs.	06/07/53	65				Flagging; hit by car.	
10	Davis, Harry S.	5	2421	Lbr	5 yrs.	11/14/50	45				Fell from distributor.	
9	Hawkins, John C.	8	2416	MW	23 yrs.	11/08/50	56				Hit by car while heating and trimming high joint material.	
8	Ash, Floyd	4	2361	Ex Lbr	1 mo.	09/02/50	49				Team and mower hit by car.	
7	Beckman, Henry	3	2337	MW	4 yrs.	07/07/50	51				Working with oil crew; fell from truck.	
6	Tallman, Lowell Eugene	3	1864	MW	1 1/2 mo.	10/06/49	17				Motorist disregarded flagman; struck employee.	
5	Hesse, Harold	3	1863	Mnt Foreman	8 yrs.	10/06/49	44				Motorist disregarded flagman; struck employee.	
4	Hall, Leroy A.	4	1507	MW	23 yrs.	04/19/49	63				Washing paint brushes with gasoline which ignited; third degree burns.	
3	Camden, Garth K.	4	1282	MW	2 yrs.	10/06/48	40				Repairing switch wire; tractor started, knocking him down and pinning him underneath.	
2	Glosemeyer, August	6	6	Lbr	5 yrs.	05/10/46	66				Overbalanced, fell from truck; rear wheels ran over head.	
1	Mumy, Cal M.	7	29	Lbr	2 yrs	02/13/46	63				Forced off highway, struck another car, thrown to pavement.	

Lotus J. Leiste/Deaths

Plan Design Issues Related to “Free 50”

Question

Is there a personnel management objective which is achieved by increasing the value of benefits payable to married members, relative to the value of benefits payable to similarly situated single members? Specifically, is a policy objective achieved by providing a form of life insurance to employees who are married at retirement (regardless of how long they have been married), when comparable life insurance is not provided to employees who are single at retirement?

Plan Design Concepts

In designing retirement benefit provisions, it is desirable to structure the plan such that benefits will provide employees with incentives to follow patterns of behavior which are aligned with overall employer personnel objectives. It is possible to design a plan such that certain provisions will only be applicable to a select group. (Presumably, the select group would be those individuals who have followed the pattern of activity desired by the employer.) For example, it is reasonable to conclude that not all employees will become eligible for benefits under the “rule of 80,” however, those that do will, for the most part, be approaching or will have exceeded the 30 years of service objective established by COMAP. Rule of 80 eligibility only has cost implications for those employees who qualify (meaning those employees who enter service at relatively young ages and continue in service with the State) yet the cost of rule of 80 eligibility is spread across the total MOSERS’ covered workforce. From this, it is reasonable to conclude that benefits for those who achieve the employer service objective are being subsidized by those who do not achieve the objective since one contribution rate is applied to all employees.

History of the Free 50

In 1984, the normal form of payment for employees covered by the Highway and Transportation Department and Highway Patrol Retirement System and employees of the Conservation Department covered by the Missouri State Employees Retirement System became an unreduced joint and 50% survivor benefit for employees who were married at time of retirement. In 1997, this provision was extended to all other MOSERS’ covered employees, in consideration of the fact that there appeared to be no rational basis for excluding the balance of MOSERS’ covered employees from this benefit provision.

Another View of the Free 50

As a practical matter, the Free 50 is nothing other than additional employer provided life insurance for married members. However, rather than providing for a lump sum payment upon the death of the member, the “policy” provides an annuity for the remaining life of the surviving spouse. No comparable benefit is made available to employees who are not married at time of retirement.

Funding Implications

The funding objective of a retirement system is to accumulate, during an employee's working career, assets (reserves) which will be adequate to finance the benefits payable to, or on behalf of, the employee after retirement. Chart 1 illustrates, for sample ages, the additional reserves which must be accumulated for married employees, versus single employees. For example, for a married male retiring at age 60 who has a spouse age 60, \$13.82 must be reserved for each dollar of annual benefit payable to the member at retirement. For a single male age 60, reserves required are equal to \$12.29 for each dollar of benefit at retirement, meaning that the "Free 50" in this case results in additional required reserves of \$1.53 (\$13.82 - \$12.29) for each dollar of annual benefit to the member. Because of the lower mortality rates among female employees, the reserve differential between married and single female members is less than for males but still material. The younger the spouse relative to the member, the greater the married/single required reserve differential, particularly where the member is male. (Factually, equal work for equal pay for equal service at equal ages does not necessarily result in benefits of equal value.)

Makeup of MOSERS' Recent Retiree Population

Between September 1, 1997 and September 1, 1998, MOSERS had 1,480 new retirees – in declining order of cost to the system related to the Free 50, 36% were married males, 33% were married females, and the remaining 31% were single males and females. (These statistics are illustrated in Chart 2.) What this means is that, of recent MOSERS' retirees, 36% received something of significant value, an additional 33% received something of some value, and the remaining 31% received no additional value. In cases where additional value was received by the employees, it was independent of service rendered and/or value received by the taxpayers.

Policy Direction

There does not appear to be any compelling evidence to support the position that a benefit subsidy for married employees resulting from the "Free 50" is warranted in connection with a policy objective. Consequently, it seems reasonable to conclude that for new hires the funds expended in connection with the "Free 50" should be directed at a provision which can be associated with a policy objective. This is in contrast to the provision for survivor benefits in the case of death before retirement, particularly as it relates to duty related death.

Chart 1

**Value of Free 50 At Retirement for Member With
Spouse the Same Age**

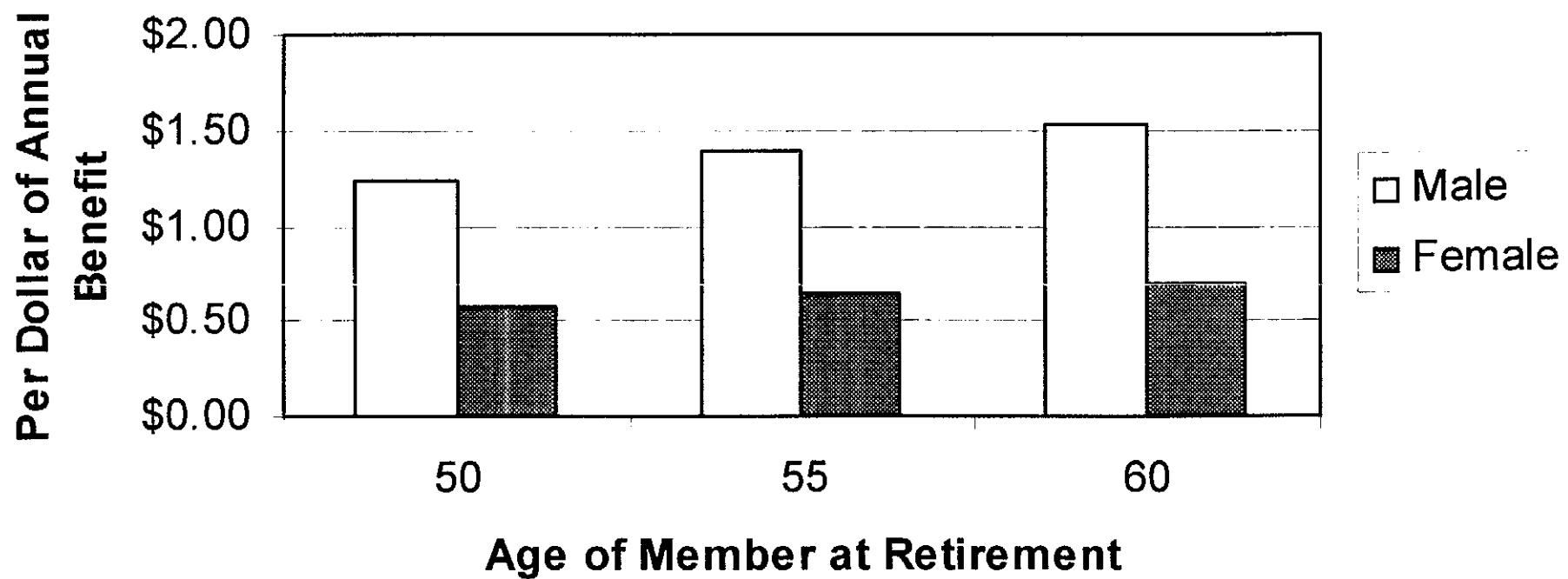
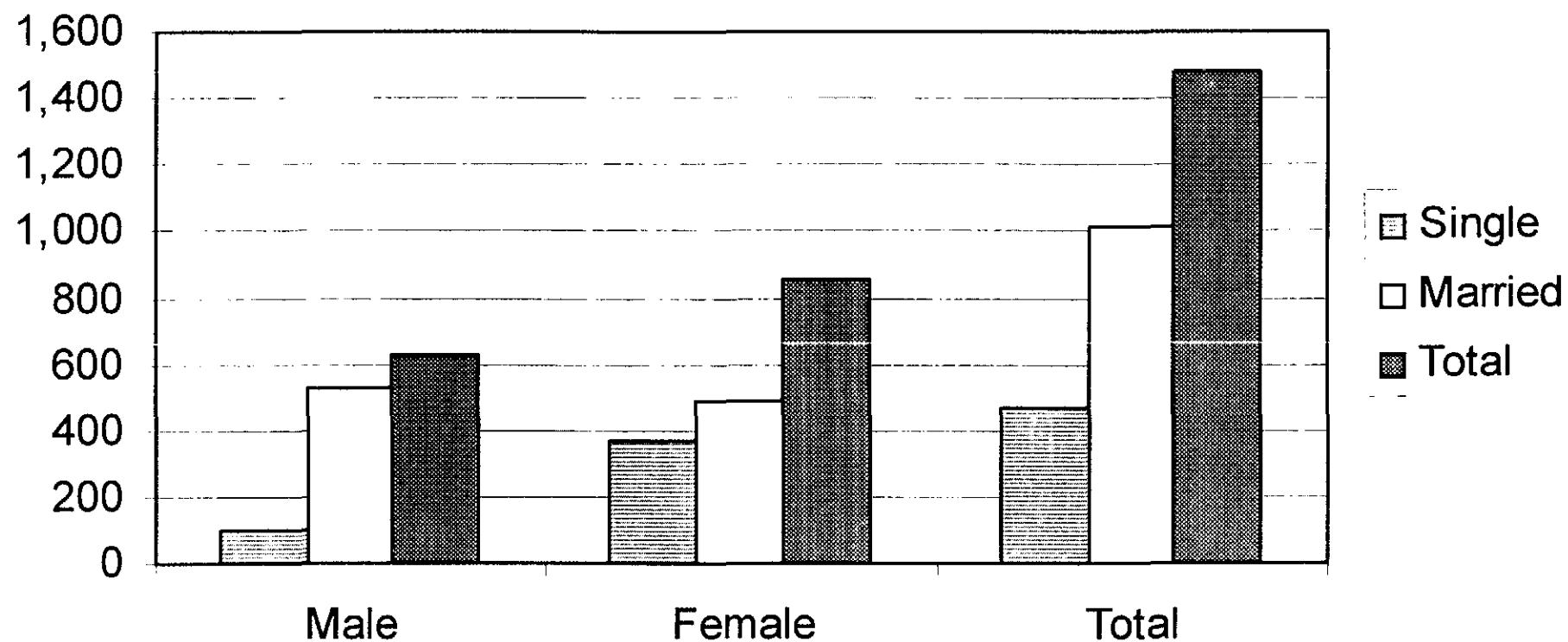


Chart 2

New MOSERS Retirees 9/1/97 - 9/1/98



Highway and Transportation Employees' and Highway Patrol RETIREMENT SYSTEM

Norm Robinson, Executive Director

October 28, 1998

Mr. Gary Kempker, Director
Department of Public Safety
Room 870, Truman Building
P. O. Box 749
Jefferson City, MO 65102

Dear Mr. Kempker:

Due to the demographic characteristics of our retirement system, the "Free 50" is of significant value to employees of the Missouri Department of Transportation (MoDOT) and the Missouri State Highway Patrol (Patrol).

Between September 1, 1997, and September 1, 1998, our retirement system had 257 new retirees. Of these new retirees;

82% were married males
4% were married females
14% were single males and females

These figures are in stark contrast to the MOSERS figures. However, the figures for our retirement system are not surprising given the predominately male population of MoDOT and the Patrol.

Sincerely,



Norm Robinson
Executive Director

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